

HOW·NI·KAN

PEOPLE OF THE FIRE



Vol. 9, No. 7

Citizen Band Potawatomi Tribe

July, 1987

Barrett, Levier re-elected; two new representatives seated

The Citizen Band Potawatomi Tribe has re-elected John A. "Rocky" Barrett as tribal chairman, Dr. Francis Levier as committeeman and named two newcomers to the tribe's governing body.

Voters in the 1987 tribal election also approved a proposed budget for expenditure of set-aside interest monies and a question calling for a constitutional amendment on how tribal enrollment is determined.

To adopt a constitutional amendment the tribe must receive BIA approval and a secretarial election (conducted by the BIA) will be held. The proposed amendment is expected to change tribal enrollment prerequisites to descendency rather than blood degree and would increase tribal enrollment from about 12,000 to an estimated 40,000, making it one of the nation's largest Indian tribes.

In the tribal election June 27, Barrett defeated challenger Cecil Pensoneau 500-467. Barrett received

395 absentee votes and 105 walk-in votes, while Pensoneau got 266 absentees and 201 walk-ins. Most of Barrett's "ticket" was also elected, with the sole exception of committeeman Bob Davis who was seeking to fill the unexpired term of the late vice chairman Doyle Owens. Davis was defeated by "Potawatomi of Oklahoma" challenger Toby Kinslow, 501-459. Absentees were 358 for Davis and 299 for Kinslow, but walk-in votes were 101 for Davis and 202 for Kinslow.

Dr. Francis Levier, re-elected to the committeeman #1 spot, defeated Thomas Autwin Pecore 499-452. Levier received 386 absentee votes to Pecore's 265 and 113 walk-ins to Pecore's 187. Elected to Davis' Business Committee seat was former school principal Hilton L. Melot with 385 votes, defeating C.B. Hitt (194) and William L. Slavin Jr. (369). Absentee vote was 134 for Hitt, 216 for Slavin and 297 for Melot. Walk-in vote was 60 for Hitt,



Tribal Court Clerk Joie White holds the Bible as Judge Lawrence Wahpepah swears in Toby Kinslow, Francis Levier, John Barrett and Hilton Melot

153 for Slavin and 88 for Melot.

Referendum item #2 approved expenditure of \$250,000 accrued interest on set-aside funds. The three congressionally approved categories for expenditure of interest funds are land acquisition, development and maintenance. Voters gave their approval to the submitted budget calling for \$100,000 for acquisition, \$81,400 for industrial development and \$68,600 for maintenance. Both referendum issues (enrollment and budget) were approved about 2 to 1.

The new tribal officers were sworn in about 11 p.m. Saturday, June 27, by tribal court Judge Lawrence Wahpepah shortly after the results were announced. Election Commission members had to recount the vote because of a tribal provision for a recount where totals are within ten percent. Kinslow will serve the one year remaining on Owens' term, while the others were elected to two year terms. The secretary-treasurer's position will be open in next year's election, along with the full term for vice chairman.

Earlier in the day, tribal members met for the annual Shawnee Council meeting and heard Barrett report on the year's activities. Although the polls had closed before the council started, the results were not yet known and election tension surfaced frequently during the session.

Some of the topics discussed at the council meeting were:

✓ Tribal Store: Barrett said the store at Gordon Cooper and Hardisty Roads has doubled in size during the past year and business increased correspondingly. He said the store took in \$500 in beer sales in one hour Saturday morning.

✓ Museum Expansion: A new wing, which will be named in honor of the late tribal vice chairman Doyle Owens, is under construction and scheduled for completion in July. It will feature genealogy charts and maps showing original allotments "so you can see where to go to see the old homeplace," Barrett said. It will also feature a stained glass window designed and donated to the tribe by Mrs. Cable Ball, whose late husband was a descendant of George Winter, the only artist known to have lived among and drawn the Potawatomi Indians. The museum gift shop also had banner sales on election Saturday, later reporting \$3,000 in merchandise sold during the day.

✓ Pow Wow Grounds: New lighting, seating and other improvements have been completed, and new permanent showers and bathrooms constructed to serve the campground and pow wow grounds.





from the chairman

Fellow Tribal Members,
I wish to thank all of you who voted in the recent election and express special gratitude for those of you who supported me. Those of you who traveled long distances to attend are to be congratulated for your dedication and interest.

We have much work to do over, since those businesses the tribe was negotiating with for acquisition have withdrawn because they were repeatedly called by our political opposition with negative accusations - some were embarrassed in the local press - and all were made to feel insecure about our plans. But this does not mean we will discontinue our efforts to accomplish the promised goal of financial independence and regular benefits for our members. New negotiations with other companies have already begun. Since the Cherokee, Chipewewa, Apache, Penobscot and Passamaquoddy tribes have successfully accomplished exactly what we are trying to do in acquiring businesses, we are confident we can succeed. We must move with action, however, and be certain to conform to all IRS and Federal Government regulations.

By the results of the election you have sent a message that malicious, unsigned letters full of unsubstantiated or unattributed allegations are not the Potawatomi way. Our future elections should improve as more of you get involved in the tribe's future. I promise you two more years of continued progress.

Whatever disputes might still remain over the conduct of the election will be dealt with by tribal law. We are a government of laws, not personalities. All can expect fair and honest application of justice from our judges if the situation arises.

The ballot referendum relating to tribal enrollment is being given immediate priority. A secretarial election held by the BIA will be held as soon as possible for you to vote to change our constitution to allow enrollment by descendancy.

We also plan to make some changes in the election laws to allow a longer period of time for your ballots in tribal elections to reach you and for you to return them. Many of you have written or called about the problem and we will remedy it as soon as possible.

We have implemented some new procedures at the tribal office for our auditors to make twice-monthly spot review of tribal financial systems. We were given a clean bill of health in this year's audit by our CPA as well as the Inspector General's Office of the U.S. In order to facilitate this regular bi-weekly check of the tribe's finances, the Secretary Treasurer's salaried position was changed to a once-weekly review of checks and

purchase orders for signing with regular monthly meetings with the auditors. While we hate to lose the Secretary Treasurer as a fulltime employee, this combination of regular auditor visits, weekly check signing reviews and monthly meetings is in keeping with the recommendations of the last audit.

For those of you I met at the council meetings across the country and promised to contact with specific information, please forgive my delay in responding. As you can well imagine, the press of business here at the tribe at year's end was tremendous. My personal business also demands a great deal of my time as well. I will get back in touch with you as soon as possible. My

wedding to Pat Sulcer is in only a few days and is foremost in my emotional thoughts at present.

The tribe will continue the HowNiKan no matter what. Pat will be impossible to replace, given the awards the paper has won and her dedication to it.

My congratulations to the Anderson clan on the great success of their family reunion held during the Shawnee Council weekend. I met many of you and will always be grateful for your warmth and friendship. The same congratulations to the Slavins and other families who met.

Kenneth Peltier did a magnificent job, along with the Pow Wow Club, in putting on our best Pow Wow ever. I hope all of you enjoyed it. It required a tremendous effort on his part made doubly difficult by demands on his time as an elected official. Megwetch from us all, Kenneth.

The Election Committee also did a great job and showed their dedication and exacting adherence to the Election Laws in all they did.

10th Circuit rules for tribes

The 10th U.S. Circuit Court of Appeals in Denver affirmed a longstanding legal doctrine by ruling that the state cannot sue the Chickasaw Indian Tribe without permission from Congress.

The decision, handed down June 30, apparently is the end of a two-year struggle between the state and the tribe over the tribe's operation of bingo games and sale of tobacco products at the Chickasaw Motor Inn at Sulphur, Oklahoma.

The suit began in 1985 when the Oklahoma Tax Commission filed suit against the Chickasaw Nation in Murray County District Court,

Chairman Norman Kiker and all of the rest of the Committee deserves our thanks as well.

All the tribal staff put in a huge effort to make the meeting, pow wow and weekend a success. B.J. Rowe at the museum worked long, hard hours and set new sales records for the gift shop. Jan Gale and her staff did double duty running the tribal store as well as the pow wow sales booth, and did an excellent job of both. Bob Dunning worked 20-hour days getting the complex campgrounds ready as well. Our heartfelt thanks to all of you, including Joie, Ava, Mary plus the crew at Fire Lake.

While only about 10% of the tribe voted in the election, the entire Business Committee has great hopes of a larger participation in the future. As the Regional Councils get

more organized, they can assume some of the duties of turning out the vote as well.

Thank you again for your votes. I promise to do the best I can for the next two years.

seeking a restraining order to prevent the tribe from selling untaxed tobacco products and ordering the tribe to begin collecting taxes on its bingo games.

The case was removed to federal court and U.S. District Judge Frank Seay dismissed the case, ruling that the tribe is sovereign and immune from such suit.

The Tax Commission appealed Seay's decision and asked the Denver court to rule that the case should not have been removed to federal court.

HOW-NI-KAN PEOPLE OF THE FIRE

The HowNiKan is a publication of the Citizen Band Potawatomi Tribe, with offices located at 1900 Gordon Cooper Drive, Shawnee, Oklahoma.

The HowNiKan is mailed free to enrolled members of the Citizen Band Potawatomi Tribe. Subscriptions are available to non-members at the rate of \$6 annually.

The HowNiKan is a member of the Native American Press Association. Reprint permission is granted with credit to HowNiKan, Citizen Band Potawatomi Tribe.

All editorials and letters become the property of the HowNiKan. Submissions for publication must be signed by the author and include a traceable address. Publication is at the discretion of the editor.

Change of address, submissions and subscriptions should be mailed to Route 5, Box 151, Shawnee, Oklahoma 74801.

Citizen Band Potawatomi Business Committee

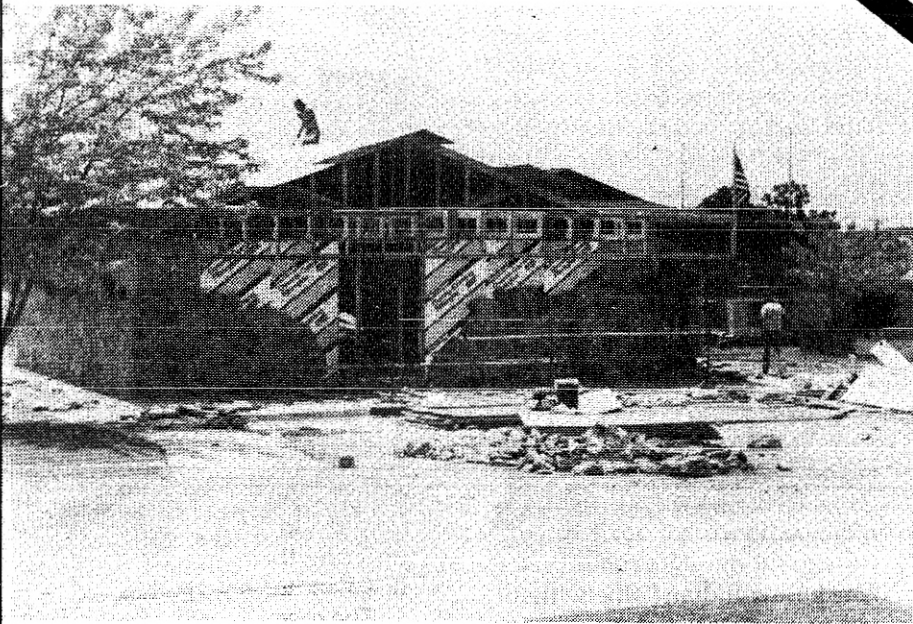
Chairman — John "Rocky" Barrett
Vice Chairman — Toby Kinslow
Secretary-Treasurer — Kenneth Peltier
Committeeman — Dr. Francis Levier
Committeeman — Hilton Melot

In accordance with the Citizen Band Potawatomi Constitution, Article 14, Section 1, "The regular meetings of the Business Committee shall be held the last Thursday in February, May, August and November ..." Meetings will be held in the Longroom of the tribal complex at 7 p.m. Interested tribal members are invited to attend.

Council Scrapbook

Top: The expansion to the tribal museum is nearly completed and is scheduled for dedication this month. Named "The Doyle Owens Memorial Wing" in honor of the late vice chairman, plans for the addition include genealogy charts, allotment maps and archival material. Middle: Elizabeth Kremenak was honored by Chairman John Barrett as "the

smartest Potawatomi in the room" at the Shawnee Council in keeping with the Potawatomi tradition of "the older you get, the smarter you get." Bottom: Frank Anderson of Grant's Pass Oregon was honored by Chairman Barrett at the Council for having traveled the farthest to attend the meeting.



A new street, created at the dividing line between the towns of Shawnee and Tecumseh, has been named in honor of the man who chronicled the history of the Potawatomi after their removal from the Great Lakes area as well as the history of Sacred Heart, the Benedictine mission established in Indian Territory to serve the Potawatomi.

By executive resolution on June 24, the tribal business committee unanimously voted to name the access street into the Citizen Band Potawatomi Elderly Housing

Complex "Father Joe Murphy Drive."

Father Murphy, of St. Gregory's Abbey, has donated his research on the Potawatomi to the tribal archives, as well as publication rights to his two theses' on the Citizen Band and Sacred Heart mission. In 1985 he was made an honorary tribal member in appreciation of his research on tribal history.

Chairman John Barrett presented Father Murphy with a plaque of Potawatomi Resolution # 87-76 naming the street in his honor at the 1987 Shawnee Council meeting.



Evelyn Ball, widow of George Winter's great-grandson Cable Ball, was on hand June 26, for the tribal unveiling of a stained glass window she created and donated to the tribal museum.

Mrs. Ball, who was honored by the Business Committee with an executive resolution naming her "an outstanding benefactor" of the tribe, has donated reproductions from her Winter collection to the museum for public sale. She has also been working closely with tribal historian Dr. David Edmunds to schedule a Winter exhibit at the Amon Carter Museum in Ft. Worth, Tx. Winter is the only known artist to have ever lived among and painted the Potawatomi people prior to their

removal from Michigan and Indiana.

Mrs. Ball's stained glass creation is her personal interpretation of Potawatomi artist Woody Crumbo's painting "Flute Song to her Spirit," and will be displayed in the new Doyle Owens Memorial Wing of the museum. (Photo: window is visible on far left; Bob Davis stands to the left of Mrs. Ball to present her with a shawl - which she later danced in at the annual pow wow; to the right of Mrs. Ball Chairman Barrett reads Potawatomi Resolution #87-35 naming her a tribal benefactor.)

National News

Campbell stops \$2.50-acre sale

The U.S. House overwhelmingly passed a bill sponsored by Rep. Ben Nighthorse Campbell to stop the Interior Department from turning over 280,000 acres of oil-shale land in Colorado, Wyoming and Utah for \$2.50 an acre to private claimants.

Co-sponsored by Rep. Nick Rahall of West Virginia, the bill passed 294 to 93, although some western Republicans and the Reagan administration tried to block it.

A giveaway of 82,000 acres on Colorado's western slope last year for a \$2.50-an-acre filing fee prompted Campbell to act to stop Interior from proceeding with its plan for remaining acreage on which there are still claims - unless the claimholders can prove they have truly mined oil shale.

Campbell pointed out that, during last year's land giveaway, four oil companies paid \$205,000 for land valued at \$164 million. They were Tosco, Exxon, Union Oil of California and Phillips Petroleum.

The bill "emphasizes development rather than land speculation," said Campbell, adding that the claimholders are "speculation inter-

ests who want cheap land under the guise of the old mining law."

The companies gained the land under an 1872 mining law designed to encourage development of western resources by giving claimholders title if they have worked the claim.

During the committee's hearing, an oil company executive indignantly reminded legislators that overturning Reagan's decision to dump the land is like "a broken promise."

Campbell, a Northern Cheyenne, snapped back with, "You want to talk about broken promises? I'd love to talk about broken promises. Do you know what I'm talking about?"

The executive did not pursue that line of attack.

Pope expected to name saint

When Pope John Paul II makes his second U.S. pilgrimage this fall, he'll likely announce the fourth American saint: Rose Phillipine Duchesne, a French born missionary who brought the Society of the Sacred Heart to the United States, where the order of nuns now runs 27 colleges and secondary schools.

The pope has not yet declared

her canonization, but Vatican sources say that is now a formality. Both a board of medical consultants and a commission of theologians have endorsed the inexplicable nature of a medical cure attributed to Duchesne's intercession - the final requirement for sainthood. A panel of cardinals will review the case this summer, and papal approval is expected before Labor Day.

Sister Duchesne entered religious life over her father's objections in 1788 but returned home four years later when leaders of the French Revolution expelled women from their convents. In 1818 she and three companions came to the United States and opened the first free school for Roman Catholic and non-Catholic pupils west of the Mississippi. She continued founding schools and orphanages and at the age of 72 opened a mission school for Potawatomi Indians at Sugar Creek, Mo., where she was known as Quah-kah-ka-num-ad or Woman-who-prays-always. She died in St. Charles, Mo., in 1842 and was beatified in 1940.

(Reprinted from June 22, 1987 Newsweek)

API can help

Accountants for the Public Interest (API) is a nonprofit organization that serves minority business enterprises and individuals unable to pay a normal fee for accounting services. Each year professional accountants provide many hours of free technical assistance, helping to contribute to the success and survival of many small organizations.

For more information about their services and locations of API affiliates write or contact: Accountants for the Public Interest, 888 17th Street, N.W., Suite 201, Washington, D.C. 20006, (202) 659-3797

Artist search

The National Craft Showroom, a nonprofit organization located in New York City, is looking for contemporary Native American crafts. They are especially interested in baskets, pottery, textiles, and weavings to add to their gallery-like, 10,000 square foot showroom, which now displays the work of more than 200 American craftspeople from all over the country. They have the facilities, personnel and experience to counsel and serve individual craftspeople and tribal enterprises. New member artists submit slides of their work, and are selected twice yearly by a review committee.

For more information and an application form contact: Norbert N. Nelson, National Craft

Showroom, 11 East 26th Street, New York, New York 10010, (212) 689-0010.

Grants available

The Cooke Foundation has \$10,000 available for individual grants to be awarded in 1987. Grants ranging from \$1,000 to \$4,000 are available to mid-career (over 40 years of age) visual artists who show talent as a painter, sculptor or graphics artist and have not had the opportunity to develop their abilities.

The deadline for applications is September 12, 1987. For more information contact: The Cooke Foundation, c/o Beale, Route 2, Box 312, Martinsburg, West Virginia, 25401

Crafts catalogue

Qualla Arts and Crafts Mutual, Inc., recognized as one of the most successful Indian owned and operated arts and crafts cooperatives, now has a new 24 page color catalog with close to 100 illustrations. The catalog features Cherokee craftspeople who produce carvings, sculpture, basketry, beadwork, pottery, masks, dolls, and ceremonial items. To receive a copy of the color catalog, send \$2 to: Qualla Arts and Crafts Mutual Inc., P.O. Box 277, Cherokee, North Carolina 28719

Art meet slated

The Native American Art Studies Association will hold its annual conference in Denver, Colorado, September 23-26, 1987, at the Executive Tower Inn. The theme of this year's conference will be "Interaction in Native American Arts." Keynote speakers will be Arthur Amiotte, Custer, South Dakota, a Commissioner of the Indian Arts and Crafts Board, and Dr. Christian Feest, of Vienna, Austria.

For more information contact Barbara Stone or Joyce Herold, Department of Anthropology, Denver Museum of Natural History, City Park, Denver, Colorado 80205.

Thank You

I would like to take this opportunity to thank those of you who demonstrated a vote of confidence in the 1987 election in both me and my achievements over the last two years.

I pledge to continue the progress begun by the last administration and will work diligently to protect the integrity of the Citizen Band Potawatomi people.

Dr. Francis Levier
Committeeman # 1

1987 Attorney's Report

Tribal Attorney's Report to General Council from July 1, 1986 to June 27, 1987.

During the past fiscal year, the Tribe has been very active in the courts. As a result, litigation expenses have continued at a high level.

Although the tribal attorney provided continuing advice to the members of the Business Committee on a variety of matters, most of the tribal attorney's expenses have arisen in connection with litigation and the establishment of the tribal courts. The litigation can be divided into three main areas.

I. The first area includes three cases involving improper activity by former tribal officers and a former tribal administrator. These three suits were resolved during this past fiscal year.

II. The second group also involves three cases each arising out of the Tribe's ongoing effort to regain control over the tribal bingo game. Control over the game was wrested from the Tribe by Enterprise Management Consultants, Inc., an Oklahoma corporation controlled by John Clark Caldwell, III, and Leroy Wheeler. To date, efforts to reassert control over the tribal bingo hall have been frustrated by the federal judiciary which seems reluctant to enforce the law.

III. The third area is the opening round in the Oklahoma Tax Commission's effort to finish the disestablishment of the Indian tribes in Oklahoma by attempting to assess the Tribe with a cigarette tax for alleged sales by the Tribe from 1981 through 1985.

Litigation

1. Burch v. Barrett, Dist. Ct. Pott. Co. No. C-83-772.

This was a libel suit brought by a former tribal administrator and three former members of the Business Committee against their successors for alleged defamatory remarks published in three newspapers, including the tribal newspaper the How-Ni-Kan. This case presented a very serious challenge to tribal sovereignty. The case was filed in the District Court for Pottawatomie County. Publications by tribal officers or employees germane to tribal affairs should not be actionable as libel in state court. Predictably, the state court consistently rejected challenges to its jurisdiction over tribal officers and employees. The jurisdictional issue was never finally litigated because the plaintiffs admitted that the allegedly defamatory publications were essentially "true and accurate" and dismissed their action with prejudice.

a. Petition filed Oct. 3, 1983.

b. Dismissal with prejudice filed Sept. 18, 1986.

This suit was litigated for nearly three years (2 years, 350 days).

2. The Citizen Band Potawatomi Indian Tribe of Oklahoma v. Schoemann, U.S. Dist. Ct. W.D. Okl. No. CIV-85-2478-E.

During litigation discovery in the Burch v. Barrett case, considerable evidence was uncovered that John Schoemann, while tribal administrator, used tribal and/or federal funds for his own personal benefit. Thus, the Tribe filed suit to recover this money. During this past fiscal year, Schoemann agreed to a settlement by which he allowed a \$54,545 judgment to be taken against him finding that he had "breached his fiduciary duty" to the tribe. Based on Schoemann's representation that he had no money and would never seek tribal office or employment, the Tribe agreed not to attempt to collect on the judgment.

a. Complaint seeking to recover money from Schoemann filed Oct. 8, 1985.

b. Judgment for the Tribe and against Schoemann entered Sept. 23, 1986.

This suit was litigated for nearly a year (350 days).

3. Citizen Band Potawatomi Indian Tribe of Oklahoma v. Maritt, U.S. Dist. Ct. W.D. Okla. No. CIV-86-909-E.

The Tribe brought this suit in federal court to stop the plaintiffs in Burch v. Barrett for prosecuting their libel suit in state court for publications in the How-Ni-Kan. This was an effort to have the federal court advise the state court that it had no jurisdiction over the libel suit against tribal officers and employees. The case was mooted when the plaintiffs in Burch v. Barrett dismissed their action with prejudice on September 18, 1986.

a. Complaint filed Apr. 23, 1986.

b. Notice of dismissal filed Sept. 19, 1986.

This suit was litigated for 149 days.

4. U.S. Ex Rel. The Citizen Band Potawatomi Indian Tribe of Oklahoma v. Enterprise Management Consultants, Inc., U.S. Dist. Ct. W.D. Okl. No. CIV-86-1171-B.

In April of 1986, the BIA published guidelines for reviewing Indian bingo management contracts and told the tribes to get their management contracts in line with these guidelines and submit them for BIA approval. Consistent with this BIA directive, the Tribe attempted to negotiate with Enterprise a new contract which met the BIA guidelines. After several meetings, Enterprise announced that it had no intention of entering into any agreement which would meet the BIA guidelines and broke off negotiations. During the process of negotiations, the Tribe learned that Enterprise had not been paying any rent as promised in the original lease agreement. Accordingly, the Tribe filed suit to have the court declare the bingo management agreements with Enterprise null and void because not approved as required by federal law; have Enterprise account for the monies received under the invalid contracts; have Enterprise pay for the accrued rentals plus interest; and have the lease with Enterprise declared terminated. After filing suit, the Tribe asked the court to enter partial summary

judgment, to-wit: declare that the management agreements were null and void because never approved by the BIA. The court has yet to rule on this motion. If the motion is granted, this suit will be effectively over by Enterprise. This case was administratively closed on April 10, 1987, to allow Enterprise to administratively appeal the BIA's disapproval of the 1985 Management Agreement. Unless the Tenth Circuit sooner intervenes, this case will not be active until the administrative appeal has been exhausted.

a. Complaint filed May 27, 1986.

b. Plaintiff's motion for partial summary judgment filed June 17, 1986.

c. Administratively closed Apr. 10, 1987.

This suit has been pending for 396 days or 1 year and 31 days.

5. The Citizen Band Potawatomi Indian Tribe of Oklahoma v. Bohanon, U.S. Ct. App. 10th Cir. No. 86-2698,

When the Tribe sued Enterprise, Enterprise asked the court to enter an order requiring Enterprise to deposit all of the Tribe's bingo money into court until the suit was resolved. The court granted this motion. The court's order was patently unlawful. After the amount of money deposited in the court exceeded the amount of the defendant's counterclaim and the court refused to rule on the Tribe's motions for rehearing, the Tribe filed for relief in the Tenth Circuit. The day after the Tribe filed in the Tenth Circuit, the Court ordered a hearing held on all pending motions. After Judge Bohanon orally announced during these hearings that Enterprise's counterclaim would be dismissed for lack of jurisdiction and that he would file his order and direct the clerk to pay all monies deposited into court directly to the Tribe, the Tribe voluntarily dismissed this writ.

a. Petition for writ of prohibition and/or writ of mandamus filed Nov. 19, 1986.

b. Voluntary dismissal entered Dec. 15, 1986.

This suit was litigated for 26 days.

6. The Citizen Band Potawatomi Indian Tribe of Oklahoma v. The Oklahoma Tax Commission, U.S. Dist. Ct. W.D. Okl. No. CIV-87-0338-W.

On the first of February of this year, the Oklahoma Tax Commission (OTC) served a proposed \$2.6 million cigarette tax assessment on John Barrett. As subsequently developed, this was clearly a mistake. After the Tribe filed suit against the OTC seeking an injunction against the proposed assessment, the OTC immediately dropped its proposed assessment of Barrett and changed the assessment to the Tribe. After a hearing and following the filing of briefs, the Tribe's request for a preliminary injunction was granted. The parties have now stipulated to all material facts and are submitting the case to the court on briefs. The opening and response briefs have been filed; the reply briefs are due on June 30. Once the reply briefs have been filed, it is reasonably anticipated that the court will enter judgment and a decision within a month.

a. Complaint filed Feb. 18, 1987.

b. Preliminary injunction granted Mar. 10, 1987.

This suit has been pending for 129 days.

7. IN RE: Appeal to Assistant Secretary Of The Bureau of Indian Affairs From Decision Of Area Director Disapproving Bingo Management Contract.

When the Tribe and Enterprise signed the 1985 bingo management agreement, a provision was inserted that both parties would seek approval of the contract from the BIA. However, despite this written language, Enterprise continually told the Tribe not to submit the contract because Enterprise had sufficient political pull to see that the contract was approved without submission by the Tribe. The 1985 Management Agreement has never been approved by the BIA. However, in an extraneous aside to his December 9th orders in Potawatomi v. Enterprise, Judge Bohanon ordered the parties to submit the 1985 Management Agreement to the BIA. This order was clearly in conflict with Judge Bohanon's other order dismissing Enterprise's counterclaim for specific performance of the 1985 Management Agreement clause calling for the parties to submit the contract to the BIA. Thus, the Tribe filed a motion for clarification. That motion has never been decided. Nevertheless, Enterprise submitted the 1985 Management Agreement to the BIA which subsequently disapproved the contract. Enterprise has now filed an administrative appeal which is pending before the Assistant Secretary of the Department of the Interior for Indian Affairs.

a. Enterprise asks the BIA to approve the 1985 Management Agreement Dec. 9, 1986.

b. BIA disapproves contract on Feb. 11, 1987.

c. Appeal filed Apr. 11, 1987.

This administrative appeal has been pending for 200 days.

8. U.S. Ex Re. The Citizen Band Of Potawatomi Indians Of Oklahoma v. Bohanon. U.S. Ct. App. 10th Cir. No. 87-1532

Because Judge Bohanon apparently will not rule on the motion for partial summary judgment filed by the Tribe in Potawatomi v. Enterprise which has been pending for nearly a year and because he improperly stayed all proceedings in Potawatomi v. Enterprise pending Enterprise's administrative appeal of

(Continued, page 9)

1987 Annual Report

Administration

The demands of operating a tribal government and providing services to tribal members and other individuals is similar to operating a small city or municipal government. The rigors and requirements of administering tribal government, managing state/federal grants and contracts, and providing oversight of tribal businesses and enterprises requires a tremendous amount of coordination and guidance.

The tribe employs a number of people to support and carry out daily and extended tasks to meet the goals and objectives set forth by the tribal government and tribal council initiatives. The tribal administrator oversees and directs many daily tasks and makes many decisions relating to fiscal control, reporting, grants and contract negotiations and meeting with representatives of various agencies and organizations.

The administrator must function as a control center for all related activities and "crisis" situations. Personnel that support this effort are important and effective in the daily operation of the tribe. The staff associated with administering the tribe is delegated a vast amount of responsibility.

Personnel

Acting as an integral part of the tribal administration, the personnel officer coordinates all daily matters involving tribal employees. The office is responsible for advertising position vacancies, developing job descriptions for the respective departments and directors, notifying applicants and scheduling interviews or reviews with the administrator and Business committee.

The personnel officer also logs and accounts for personnel actions, including payroll actions, promotions, demotions, and other matters or actions in accordance with administrative or governmental directives. The tribe is operating under an approved personnel policy in compliance with all federal and tribal regulations.

Police and Security

This department consists of two patrol officers and three security officers. The two police officers are deputized through Pottawatomie Sheriff Paul Abel. Two of our patrol officers have had Special Officer Cards issued to them by the criminal investigator for the Bureau of Indian Affairs.

The Tribal Police and Security patrol Potawatomi tribal land twenty-four hours a day, seven days a week, including all of the tribal complex and the grounds of the complex such as the golf course, warehouses and Tribal store.

Accounting

The accounting office is responsible for fiscal maintenance of all tribal programs and enterprises with a fully computerized accounting management program. Financial reports are produced by the computer.

Daily input of all accounts receivable and accounts payable make it possible to have current balances and all transactions are monitored on a daily basis. Monthly revenue and expenditures and budget analysis reports are produced for all tribal programs and enterprises.

All monthly, quarterly and annual federal reports are generated by the accounting department.

Personnel payroll records are maintained by the accounting office. A current and accurate record of each employee is on file.

Procurement

A code of Procurement Policies and Indian Preference policy has been implemented in accordance with federal regulations.

Computer Systems Development

In the past year, the computer department has expanded the services provided to the tribe's federal programs, enterprises and JTPA participants.

New software programs were written to enhance the processing of payroll/personnel data, creating automatic, reporting and calculation of federal and state unemployment taxes.

In addition, a new set of programs provides the accounting department with instantaneous viewing of all transactions on any account for a particular month, as well as many other programs for error correction functions.

The tribal roll software has been expanded to offer various statistical reports and to provide space for future data input.

A new software system for storing and tracking participant information has been developed for the Women, Infants and Children (WIC) Program as U.S.D.A. food vouchers are printed, paid and reconciled by the computer.

The computer has served as a very valuable educational tool for 70 JTPA summer youth participants, and eight work experience JTPA participants. Scheduled three-month classes provided these students with fundamentals of computer science and an introduction to programming. Also, software was written for the 1987 Election Committee to process and verify absentee ballots.

Job Training Partnership Act — Program Year 1986-87

The Citizen Band Potawatomi JTPA program is designated to provide employment and/or training services to economically disadvantaged Indians residing in the JTPA program's four county service area (Pottawatomie, Lincoln, Cleveland and Payne Counties). The program provided work experience, classroom training, on-the-job training and community service employment.

Employment and Training Priorities: 1) We have provided vocational training and other areas of higher interest and where employee availability falls short

of labor market demands, i.e., secretarial occupations, construction trades, health occupations, computer technology, etc.

2) We provide work experience opportunities to those participants who are entering the job market or who have been out of the job market for an extensive period of time. Work experience has served as an immediate solution for employment until training or high demand occupations can be developed.

3) We have provided individual participants and potential participants counseling, job search assistance, job readiness training and, when necessary, referral to other agencies. These goals have been accomplished through the implementation of (a) classroom training (b) on-the-job-training (c) work experience (d) community service employment.

4) We have provided computer programming fundamentals and introduction to IBM System 36 to all JTPA participants who choose to partake in this training.

Summer Youth Employment Program

Reporting period June 3, - August 15, 1986.

The Tribe's JTPA Program was redesignated as a Native American Grantee for Program Year 1987 and 1988 by the division of Native American Programs, U.S. Department of Labor. Both the 1987 Summer Youth Employment Program and 1987 Title IV Program Plans have been submitted with funding occurring in June and July respectively.

The Summer Youth Employment Program for fiscal year 1986-1987 has and is currently providing, employment opportunities to eligible economically disadvantaged Indian Youth residing within our service area (Pottawatomie, Lincoln, Cleveland and Payne Counties). This summer employment has provided financial aid to encourage continuation of re-entry into school for the fall semester.

Objectives:

1) To provide 80 economically disadvantaged youth between the ages of fourteen to twenty-one with summer employment beginning on June 3, 1986 and ending August 16, 1986.

2) To provide labor market orientation and job seeking skill training to all participants.

3) To provide job readiness counseling and training to those youth nearing graduation and those who are school dropouts.

4) To provide to participants financial assistance information for both higher education and vocational training.

5) To provide computer assisted training to participants who choose to participate in this training.

Benefits: Youth participating in the Summer Youth program have been provided earned income. The tribe provides the worksites with valuable manpower necessary for beautification projects and service provisions. Participating youth have been exposed to their own heritage and culture which enhances their self-concept and assertiveness.

Program Staff (JTPA and Summer Youth)

Director

MIS/Service Coordinator

Programs Counselor

Summer Youth Coordinator

Two summer Youth Supervisors

Low Income Home Energy Assistance Program FY-87

The LIHEAP Program is funded through the Department of Health and Human Services, Office of Energy Assistance, Washington, D.C. FY-87 grant awards totaled \$5,539.

The Citizen Band Potawatomi LIHEAP program was designed to assist low income Indian households with costs of heating their homes during the cold weather months. Funds were available in November 1986 and were exhausted by April 1987. A total of 52 Indian households were helped during FY-87. Of those 52 households assisted, 39 households were helped during FY-87. Of those 52 households assisted, 39 households contained elderly Indians over age 80.

Tribal Rolls

The office of Tribal Rolls has enrolled 22 new members since June, 1986. Upon enrollment, a tribal membership card, a copy of the tribal constitution, a letter of enrollment signed by each member of the Business Committee and information on the history of the tribe is mailed to each new member. Tribal Rolls has assisted many walk-in visitors in researching the history of families and documenting appeals for blood degree changes.

The tribal roll is now completely computerized. The computer system has been instrumental in increasing the efficiency of tribal roll updates, providing statistical information for need assessments, Indian Health programs, and programs within the administration. The computer system will also be used to verify tribal membership before voting in the 1987 election.

Scholarship Foundation

Serving as the administrator of the independent Scholarship Foundation, the office of tribal rolls awarded 176 scholarships totaling \$38,046.21 during the 86-87 fall and spring semester. Persons from 21 different states were awarded scholarships.

The Scholarship Foundation has concentrated its efforts on public awareness of available assistance. Through advertising in the How Ni Kan tribal paper, local newspapers and circulation of an informative pamphlet on the foundation, we have increased the number of tribal members who utilize this benefit.

Museum/Trading Post

The number of museum visitors and youth group tours has steadily increased this year. With more pride in the Tribal Museum, tribal members have proudly and generously donated or loaned many family artifacts for the viewing pleasure and expanded knowledge of all. Lighting shields have been installed for the protection of artifacts on display, and new visual display aids are utilized. Among our most prized acquisitions this year is a stained glass rendering of Potawatomi artist, Woody Crumbo's art work entitled, "Flute Song To Her Spirit". Created and donated by Mrs. Cable G. (Evelyn) Bail, the glass will be formally unveiled along with the dedication of the museum's new Doyle Owens Memorial Wing this summer. Structural stabilization of the museum building was completed. Access walkways were widened and an improved handicapped ramp to the upper parking area was created.

The Trading Post merchandise has continued to expand in volume and quality. Area craftspeople conduct business frequently and tribally oriented items are more readily available to visiting tribal members. The creation and distribution of a mail-order catalogue and feature articles in the How Ni Kan make these desired items available to tribal members and other interested persons nationwide. The presentation of Trading Post items at Regional Councils has afforded tribal members the opportunity to familiarize themselves with and/or purchase these items firsthand. The Trading Post takes pride in having helped several area youth groups by loaning needed items for Native American fashion shows and school plays.

Consolidated Tribal Government Program (CTGP)

As a part of tribal long-range goals in providing or assisting members through services and other goods, we shall pursue any and all avenues available to further the accomplishment of these goals. In the areas of government, education, self-sufficiency, health, and culturally, we will promote the common welfare and secure for ourselves and our descendants, the rights, powers, and privileges common to the sovereign entity of government.

The tribe contracts the CTGP through PL 93-638 from the Bureau of Indian Affairs on an annual negotiated basis. In carrying out the program, the tribe has planned activities in the following manner and scope; which includes employing individuals to carry out the stated tasks:

1. Tribal Rolls Maintenance - provide personnel to maintain current tribal enrollment records, provide historical and family data, blood degrees, eligibility, health and nutrition verification, other services, and maintaining security of confidential records.
2. Tribal Police Department - provide daily police protection for all tribal facilities, property, members, and other individuals within the jurisdiction of the tribe. Assist other law enforcement agencies, and function as an arm of the Tribal Court.
3. Archives Implementation - provide an improved facility to protect, record, house, and display precious and irreplaceable artifacts and documents. Employ personnel to operate, administer, and implement archive programs and methodology.
4. Program Maintenance of Trust Property and Property Maintenance - maintain in good repair all facilities and property belonging to the tribe. Devise plans and methods to protect and prevent deterioration of any tribal facility or property on a continuous basis.
5. Parks and Forestry - maintain specific areas of property established for use by members and the general public. Natural areas, natural resources and facilities are protected and maintained for activities. Preserve the natural beauty and integrity of the land.

WIC

The Women, Infants and Children Program is a supplemental food program funded by the U.S. Department of Agriculture, Food and Nutrition Services. The Citizen Band Potawatomi Tribe has been administering the WIC Program since 1979. The WIC program is designed to provide supplemental foods to pregnant, postpartum and breastfeeding women, infants and young children up to five years of age. The WIC program is focused on those participants who are from families with inadequate incomes who have been identified to be at special risk with respect to their physical or mental health by reason of inadequate nutrition. The participants are certified to be eligible for services through local clinics and agencies located in the areas that we are serving.

The WIC program has two major components. One is providing nutrition, health, and consumer education to participants and their families. The determination of nutritional risk must be done by a competent professional authority such as a physician, nurse, nutritionist, or dietician. The second program component involves the actual issuance of food instruments or vouchers to the participants by the community nutrition workers. Once the participant has been certified as eligible by a competent professional and has met all the eligibility criteria contained in the rules and regulations prescribed by the U.S.D.A., FNS, the vouchers are issued.

The WIC program has proved to be a very significant and valuable program since its inception in 1972. The program is nationwide in scope and the national basis funding level has continued to grow despite all the other social program funding cuts. We sincerely hope that this trend continues.

By providing supplemental foods for a high risk population, the WIC program has benefited eligible participants in our service areas by providing foods to improve their individual nutritional status. The improvement of the nutritional status of program participants has proven to increase the mental growth and physical development of the participants involved, plus relieving some of the financial burden involved in providing proper foods for the women, infants, and children enrolled in the WIC program.

The Potawatomi WIC program currently has seven sites where food vouchers are issued from: Shawnee, McLoud, Stroud, Perkins, Oklahoma City, and Wewoka, Oklahoma. These sites serve the counties of Pottawatomie, Cleveland, Oklahoma, Logan, Lincoln, Seminole, Payne, and Hughes.

The Potawatomi WIC program is currently serving approximately 1,068 participants monthly and will be increasing the caseload to approximately 1,200 participants between now and the end of the fiscal year, ending September 30, 1987.

Food Distribution Program

The Citizen Band Potawatomi Tribe has been operating a Food Distribution Program since May, 1983. This program is funded by the U.S. Department of Agriculture, Food and Nutrition Service. The purpose of the program is to promote the general welfare and to safeguard the health of the Native American population by distributing a variety of U.S.D.A. donated foods to eligible Indian families residing within our service area.

The service area for the program currently includes the tribal boundaries of the Citizen Band Potawatomi and the Iowa Tribes. Also, a service area that includes southern Cleveland County has been added during the current year's operations. Distribution sites are located within easy access of each of the respective service populations. The central warehouse and office facility is located one mile north and one mile east of the Potawatomi tribal offices.

For the fiscal year 1987, the federal funding level is \$145,342.00 and a \$48,000 in-kind matching contribution from the tribe. The average monthly participant level is 1,210 eligible recipients with each recipient receiving approximately 70 pounds of food each month. A total of over one million pounds of food has been distributed during the past twelve months.

Current program projects include a computer data system developed by U.S.D.A. at no cost to the tribe, that allows complete up to date information on the participant files and inventory records. U.S.D.A. is up-grading the system on a monthly basis with direct on-line communication and reporting capabilities.

Health Services Department

The Health Services Department has six separate programs. All programs are under the direct supervision of the Health Services Director. This consolidation move was made to place direct service programs in one area with increased efficiency of service being the result.

I. Community Health Representative Program

Contract No.: 246-86-0019

Contracting Agency: Indian Health Services

Dates of Contract: 10-31-85 through 10-31-87 (24 months)

Funding Amount: CBPI Portion - \$250,005.00 - Iowa Portion - \$89,870.00

The Community Health Representative Program has continued on the same basic course of services as it has for the last six years. Changes in our services have been the direct result of the end of the Equity Health Care program and seeking additional funding.

Listed below are our services:

- a) Women, Infants and Children (WIC), medical certification provided for twenty clients weekly, 1,040 yearly.
- b) Chronic illness follow-up.
- c) Prenatal and post partum home visits made to 156 clients
- d) Car Seat Loan Program. Teaching and control provided by Community Health Representative staff to 190 clients.
- e) U.S.D.A. surplus food distribution, state controlled food items.
- f) Mini Health Fairs, health screening for 367 clients.
- g) The Staff also participates in various local groups such as the American Red Cross, Intervention Counsel for Indian Children, Indian Action Center, Counsel for Handicapped Children and their parents of Shawnee.

II. Indian Child Welfare Act Grant

Grant No.: BOOG 1420 - 6048

Granting Aging: Bureau of Indian Affairs

Grant Dates: 10-1-86 through 9-30-89

Funding Amount: \$50,000.00/year.

The Citizen Band Potawatomi Indians of Oklahoma were one of fifteen tribes funded in the state of Oklahoma out of twenty-one applicants. Our tribe was given a three year grant, renewed yearly. Services are to be rendered to Citizen Band Potawatomi and Iowa Tribes.

The goal of the Citizen Band Potawatomi Indian Child Welfare Program is reunification of the family. The objectives are proper care/placement; strength-

(Continued, next page)

Annual Report (from page 7)

ening the family unit, or if reunification is not possible, seeking other alternatives.

There are three types of services provided by the Indian Child Welfare Program: (1) substitute; (2) supplemental; (3) supportive. The substitute services are designed to provide a substitute for parenting care either partially or completely, according to the child's needs, i.e. foster home, relative placement, or adoption. The Citizen Band Potawatomi Indian Child Welfare Worker prepares home studies, interviews prospective foster parents and placed 19 children in foster care, 2 adoptive homes; 0 group homes; 0 boarding schools and 0 institutions for children.

The supplemental services are designed to supplement the care the child receives or to compensate for certain inadequacies in parental care, AFDC, Medical Care, and Day Care.

The supportive services are designed to strengthen the parents to meet their children's needs, i.e. counseling, protective services, parenting support group, parenting effectiveness classes, and mother's day out. There were 16 referrals, 17 courtesy reports to other tribes.

The ICWA Worker is a professional member of the Juvenile Behavior Committee, Oklahoma Indian Child Welfare Association, Professional Counselors Association, and Oklahoma Association for Counseling and Development. The Indian Child Welfare Worker possess' a Master of Science Degree in Human Service Counseling.

This program is currently being evaluated for our second year funding cycle.

III. Older American Aid Program

Grant No.: AAA-80

Grant Agency: Central Oklahoma Economics Development Dist.

Grant Dates: 10-1-86 through 9-30-87

Grant Amount: \$63,889.00

The Older American Aid Program this year was awarded directly to the Citizen Band Potawatomi Indians of Oklahoma. Previously the grant was awarded to Kimberly Services Inc. with the Citizen Band Potawatomi Indian Tribe providing administration.

This program is an Equal Opportunity Provider as well as an Equal Opportunity Employer. Therefore, we provide services to any individual who meets the criteria, Indian and Non-Indian alike. The important item here is that since the tribe has run this program we have increased Indian clients and Indian employees by 100%

With the continued support of the Citizen Band Potawatomi people we will reapply for 1987-88 and continue to be the only Indian organization in the state to receive this form of funding.

Services provided are:	(12 Months) 10/1/85 - 9/30/86
a) In Home Assessment, 1985-86	96 Units
b) Health Education, 1985-86	1,015 Units
c) Health Screening, 1985-86	367 Units
d) Personal Care, 1985-86	350 Units
e) Homemaker, 1985-86	3,333 Units

	(6 Months) 10/1/86 - 3/31/87
	76 Units
	717 Units
	4 Units
	798.5 Units
	1,190.75 Units

Additional funds were provided in recognition of our program's efficiency to add one full time Home Health Aide for a total of three full time aides.

IV. Title VI

Grant No.: 09-A-10151

Granting Agency: Department of Health and Human Services

Grant Dates: 09-30-84 through 9-29-87

Grant Amount: \$93,113.00 for current 12 month period.

This very important program was transferred to the Health Services Department in April of 1987. This change was made to provide direct administration by a department that has a working knowledge of services available to the elderly.

Services provided by this program continue as provided during the first years of the program.

Nutritional Services: (10-1-86 through 3-31-87)

On-Site Meals - 6,185

Home Delivered Meals - 1,024

Supportive Services:

Transportation to and from meal site

Information and Referral

Social Activities

Health Care Assistance

With new direction from the Health Services Department and the Title VI participants the program will prosper.

V. Health Aid "Prosthetic" Foundation

Authority: Citizen Band Potawatomi Indian Resolution 77-3, last revision Resolution 82-83

Funding: Interest income from 20% set aside funds held by Bureau of Indian Affairs.

	1/1/86 - 12/31/86	1/1/87 - 4/30/87
Eye Glasses	\$19,504.00	\$7,347.00
Prosthetic Devices	\$2,214.00	\$190.00
Dentures	\$16,905.00	\$9,250.00
Hearing Aids	\$6,035.00	\$3,074.00
Total:	\$44,658.00	\$19,861.00

There has been a measurable increase in requests for assistance during the first four months of 1987. A comparison of the first four months of 1987, and an average of 1986 for the same period results in the following:

Hearing Aids: Increase of 53%

Eye Glasses: Increase of 13%

Prosthetic Device: Decrease of 26%

Dentures: Increase of 64%

VI. Infant-Child Car Seat Loan Program

Grant: No Current Grant.

This portion of the Health Services Department is being continued with 140 infant/child car seats provided by a previous BIA grant. The seats were provided to the tribe to distribute to Indian people on a rotating basis. We currently have 145 seats being used. Seats are returned after 12 months of use by the participants then redistributed to waiting applicants.

We are anticipating the approval of a new grant to provide 100 additional infant car seats and 100 booster seats for older children.

This program is our most beneficial program. The original grant provided \$5,000.00 for car seat purchase. The second, expected in August 1987, will be the same. When one out of the 150 seats is used to prevent injury to a child, not only are hospital costs saved but permanent injury and death are avoided.

The following is a true story as reported by an Infant-Child Car Seat Loan program participant:

A mother with two children, one using a seat belt and the other using one of our car seats, was involved in a car accident. The car ended upside down in a creek. No one was injured. The mother claims that without the child restraints the children would have been killed.

Economic Development

The long range purpose of this activity is to provide businesses to generate income to support the many programs in which tribal members participate.

Dr. Robert A. Shapiro has been hired to direct our activity in this area. Dr. Shapiro has over 30 years of experience in merger, acquisitions and economic development activities.

Our plan is to acquire operating business concerns that have a proven track record of profitability and stability. The technique used in the acquisitions is through "leveraged buyout". The tribe will acquire a company largely with debt that ultimately is paid with funds generated by the acquired company. A very important aspect of tribal sovereignty is that our tribe can issue bonds for the purchase of companies. Trust funds and other tribal assets are not involved in these purchases.

We have approximately 16 companies that are being considered for acquisition. The companies are located in Oklahoma and other states as well. The range of business activities for these companies includes: meat packing, beer distributorship, concrete ready-mix operation, 3,500-mile microwave communication system, metal fabricating plant, 28 locations of a fast food franchise, sports clothing manufacturer, telecommunications manufacturer, wholesale optical lens manufacturer, a radio station, and a mattress manufacturing company.

Our development plan incorporates keeping existing management of acquired companies intact so that the success of past operations can be continued by management experience in that particular industry.

Our activities have been favorably received by a number of large New York investment banking firms as well as several large commercial banks.

The negotiations for these acquisitions are complex and take considerable time to work out all of the details. As acquisitions are made, the Business Committee will inform you through the How Ni Kan.

Tax Commission

The tribe has a firmly entrenched tax program, administered and operated on a consistent basis. The Tax Commission is the regulating authority and provides the necessary oversight in the collection, accounting, and administration of tax dollars. Our program has been used as a model for other tribes in the development stage.

Taxation is an essential governmental feature and stimulates the ability and growth of a government. Tax dollars benefit the tribe in many forms, such as fostering Regional Councils to bring the government to the people, and supplementing the total cost of government operations necessary to operate the tribe. Tax revenue also represents a tribe's ability to not rely completely on federal/state program dollars to support the functions and administration of the tribe.

This tribe can realistically lessen the dependency on non-tribal monies. Tax funds are not encumbered by state or federal contracts or grants.

We have become increasingly independent of the state of Oklahoma and the federal government. The effort to increase tax dollars by attracting business and industry will continue. We are now better equipped to enforce and regulate tribal law through our court system.

Firelake Golf Course

The golf course continues to be a very popular public course. The course rates as one of the better public facilities in this entire area. Several golf associations have recognized our course as one for their members to play and support. The local association is very important to the success of the golf season, although there is year-round play as weather permits. Many tournaments will be held this year; various clubs, associations, and corporations have scheduled repeat tournaments.

Keeping the golf course beautiful and playable is a continuous year-round effort. Many man and equipment hours are required to maintain the beauty and integrity of the course. The golf pro and staff are very capable and respond extremely well to the rigors and demands of operating and maintaining the entire area. The tribe and employees are very proud of the condition of Firelake.

Over the past year we have completed cart paths on 9, 13, and 14 fairways, and to increase safety factors, the "T" boxes on 4 and 11 were reassigned; number 11 "T" box was completed. A new green for #7 fairway was started in October of 1986, seeding was completed and will be ready for play by September of 1987. Several fairway ponds were dredged; an experiment with weed-eating carp has been pleasantly successful. Blue dye is added to ponds that require efforts to control algae.

In the spring of 1986, fairways were sprigged; 13 and 14 were improved considerably by this. Greens collars were replaced on 12 and 14 with Bermuda sod. These recent practices have enhanced the entire area. Tribal members can be very proud of our golfing facility and the entire outdoor area.

Tribal Convenience Store

A major expansion and achievement was recently completed by this administration and enterprise staff. The convenience store construction project expanded the dimensions from 1,600 sq. ft. to 3,200 sq. ft., effectively doubling the size of the facility. The completed project is a very pleasing addition, giving the staff valuable space that was badly needed. Some special features and additions are a protective drive-thru, additional parking areas, and installation of eight additional gasoline pumps - for a total of sixteen pumps. The grand re-opening was scheduled for May 29, 1987, with the public and local dignitaries attending.

The enterprise has grown into an extremely strong tribal business that provides the tribe with broad benefits. There are ten people employed in various capacities, the store generates a sizable income for the tribe, and the retail sales tax paid to the tribal tax commission is used to support the tribal government. With the additional space, several more things will happen; not only will our tobacco business grow, but additional products can be handled and stocked, thus driving up the interior sales.

Preliminary plans to install a "deli" counter or create an improved food service area is a greater possibility with the expansion. In a high volume business such as tobacco and beverage products, space is a premium and we can improve an already lucrative tribal business. The Potawatomi Convenience Store is perhaps the largest and most impressively run tribal store in the state of Oklahoma.

Pow-Wow Grounds/Swap Meet

This area is a popular location and generates a high level of use by the tribe, members, organizations, associations, and customers and patrons of the week-end swap meet. The area has been vastly improved by the staff and administration over the past two years. Members can be very proud of the progress and upgrading of the entire facility. All services and utilities have been improved and upgraded to accommodate maximum usage during activities.

During the past year new electrical and water lines were replaced and improved, a new iron-pipe fence installed, and new signs completed and installed. The Swap Meet generates income in fees and taxes and supports the continuous maintenance efforts. This activity has grown considerably over the past year with increased participants and shoppers. A special feature is our ability to provide good security and an accessible location, which is very important for vendors and customers.

The tribe has completed construction of an aesthetic, practical 20' X 24' shower and bathroom facility at the grounds. It can accommodate up to eight people and has two showers for campers or swap meet and pow-wow participants. The building has heating capability so it can be used year-round.

How-Ni-Kan and Public Relations Office

The HowNiKan newspaper is mailed to all tribal members, free of charge, once a month. The purpose of the newspaper is to inform tribal members of administrative and governmental actions taken by tribal officials and disseminating information of a historical, genealogical or informative nature. In the past year the HowNiKan has twice reached 20 pages - the size of many small community newspapers. The newspaper is written and edited by a professional journalist who recently was awarded two national awards in a competition that included Native American magazines, independent newspapers and weekly publications.

Articles written by the HowNiKan editor on the history, government and/or development of the Citizen Band Potawatomi have appeared in South Dakota's

Lakota Times, California's Talking Leaf and a host of other publications across the nation. A paper recounting the history of the HowNiKan was delivered by the editor to the Native American Press Archives conference held this year in Arkansas. The editor also serves on the Board of Directors of the Native American Publishing Company in Nevada and is a member of the Oklahoma Press Association and the Native American Press Association.

The public relations office handles all contacts with the print and broadcast media, handles press conferences and collects and prepares informative articles on the tribe for wide distribution.

Attorney's Report

(from page 5)

the BIA disapproval of the 1985 Management Agreement, the Tribe filed for a writ seeking an order from the Tenth Circuit requiring Judge Bohanon to rule on the Tribe's motion for partial summary judgment and to hold such additional hearings as may be necessary to enter a final order so that the case can proceed. This writ is still pending.

a. Petition for writ of prohibition and/or writ of mandamus filed Apr. 22, 1987.

b. Response filed May 30, 1987.

This suit has been pending for 66 days.

Tribal Courts

During this past fiscal year, Tribal Courts were installed (Aug. 6, 1986). Subsequent to the creation of the Tribal Courts, we have provided advice and assistance on various matters related thereto. Further, David McCullough, an associate in our firm, has been appointed as the Tribal Attorney General. McCullough is still in the process of coordinating the preparation of procedures to be followed in the prosecution of criminal complaints.

Fellow Tribal Members,

I would like to take this opportunity to thank those of you who participated in the 1987 election. Although I lost my bid for the vice chairmanship I have no intentions of retiring my concerns or goals for the future of the Citizen Band Tribe. I intend to be an active tribal member and am in full support of the projects proposed by the seated administration.

I am disappointed, however, at the low turnout at the polls. The new constitution and the Regional Councils were instituted for the purpose of pulling the tribe together. As I was leaving the Shawnee Council meeting I heard a tribal member who had opposed the last administration say to Chairman Barrett, "Your absentee tribal members are what beat us." I don't believe in the "you" and "us" factionalizing of the tribe. I believe in ALL tribal members having the same rights and responsibilities - no matter where they choose to make their home. A continued low turnout at the polls, however, can lead us back to the days of all decisions being made by those who live within driving distance of Shawnee. I don't believe that's right.

Again, I thank you for your support and for all the wonderful experiences you've given me over the last two years. And, one more time, I urge you to take an active role in your tribe and in your tribal government.

Bob F. Davis

Tribal Tracts

Anderson family reunion

Over 100 people attended the Anderson family reunion held at the Potawatomi Firelodge in conjunction with this year's pow wow and council meeting.

Family members traveled from Michigan, Illinois, Texas, Iowa, Oregon, California, New Mexico, Kansas, Georgia and Arizona to attend the reunion.

Trophies were given honoring the oldest: Elizabeth Kremenak, age 91 of Toledo Heights, Iowa; the youngest: Zane Tyler Anderson, three-month-old son of John and Brenda from Crescent, Oklahoma; person traveling the farthest to attend: Frank and Elaine Anderson of Grant's Pass, Oregon and least miles traveled to attend: Bill Madole of Shawnee.

Where to get grad school assistance

Tribal members interested in financial assistance for graduate level studies should apply to American Indian Scholarships, 5106 Grand Avenue NE, Albuquerque, New Mexico 87108.

AIS has been awarded a \$1.7 million BIA contract to administer a graduate fellowship program for Indian students. Applicants for the program must be members of federally recognized tribes, attend graduate school and apply for campus-based financial aid.

Tribal pharmacy set to start

The Potawatomi Tribe will have a low cost pharmacy service by the first of August to assist tribal members and their families with chronic illness medications.

Local tribal members, their spouses and dependants with chronic diseases such as heart disease, high blood pressure, diabetes, Parkinson's Disease, arthritis, glaucoma, emphysema, etc. may apply with the tribe to receive their monthly medications at cost.

In order to qualify for assistance from the pharmacy an applicant must supply a written prescription from a doctor. In order to have medications available by the projected starting date, potential applicants should contact Ken Cadaret, R.N., at the Potawatomi Tribe, Route 5 Box 151, Shawnee, Ok. 74801. Mr. Cadaret will need a list of the medications you are currently taking, their dosage and the number of times a day they are taken.

The pharmacy will operate part-time but, according to Cadaret, if the program is successful it may be expanded to serve tribal members and their families nationwide.

Non-Indians not eligible for Title VI

Numerous questions were raised during the election concerning the issue of non-Indians eating lunch at the Potawatomi Title VI Elderly Feeding Program.

The exclusion of whites from the tribal program was not a decision made by the tribal Business Committee or program director. In a letter to Chairman John Barrett, dated May 14, 1986, Jim Sherry of the Department of Health and Human Services explained:

"Non-Indian widows or widowers of deceased Indians are not eligible to receive Title VI services unless non-Title VI resources are used to pay for the full cost of such services. Non-Indian widows or widowers of deceased Indians are not specified as eligible recipients under Title VI of the Older Americans Act or the Title VI regulations."

The tribal staff made every effort to place individuals deemed ineligible for our program in other community-based feeding programs. Further questions may be directed to Ken Cadaret, R.N., Director of Potawatomi Health Services, Rt. 5 Box 151, Shawnee, Ok. 74801.

Zigler-Bourassa info sought

Vivian L. Diven is searching for descendants of Bonnie and Elenore Zigler and other descendants of the Bourassa family. Tribal members may reach her at 300 S. Cedar, Rolla, Missouri 65401.

Fire Lake critiqued

By Jim Hamilton

Fire Lake golf course, south of Shawnee, looks and plays like a golf course that has been there for 10 or 15 years; yet this is only its fourth year.

When we played the course recently, it was the first time we had seen all the ponds and lakes full of water, and it certainly stretched the hazards out over the course.

All but four of the holes on the course have water hazards, and on some of the holes the golfer has to cross the water twice to get to the green.

Jean Navratil, assistant manager at Fire Lake, told us that during the

heavy rain, the North Canadian River overflowed its banks south of town and they had to go nine miles east and come back to get to the course from Shawnee.

Fire Lake head pro Jerry Halsey told us they were going to move the No. 7 green.

It now is tucked in among the trees and doesn't get enough air circulation to keep the grass growing.

Paul Pope is Jerry's assistant, and we understand he soon will be saying wedding vows. Burl Beddo is the greenskeeper and is to be commended for the overall condition of the layout.

Last August, when we played the course for the first time, we reported that moss was taking over the ponds and lakes and that 150 Chinese grass carp had been put out to control the moss.

We certainly saw evidence of control this time out. Practically all the moss is gone, and it certainly enhances the beauty of the lakes to be rid of it.

After the first month, tests were made and the carp had doubled in size. I wonder how big they are now.

(Excerpted from the Wednesday, June 17, 1987 Daily Oklahoman Newspaper)

How his story becomes history

Dear Editor,

The removal journal you printed in the HowNiKan contains a couple of errors because it came from the Indiana Historical Society magazine printed in 1925. Since then research has indicated that the writer of the journal or diary was not William Polke but instead was Jesse C. Douglas, the enrolling agent. He was later editor of the "Logansport Telegraph" newspaper.

I am sending you a copy (forwarded to the tribal archives) of the hand-written diary of the Trail of

Death. Note that in Sept. 6 it was really MUD Creek, not UNA Creek, where they camped. The handwriting was misinterpreted. In 1976 for the Bicentennial, Rochester Boy Scout Troop 285 erected a historical marker by the camp on Mud Creek as a memorial to the first child to die on the Trail of Death. With the help of the Fulton County Historical Society, they re-enacted the march from the Tippecanoe River to Mud Creek, the second day's trek in the diary, a distance of nine miles. At the same time Fulton County Historical Society started the Trail of Courage Rendezvous, a living-history festival to commemorate the courage of the Potawatomi. This continues annually the third week-end of September and has grown in attendance each year until now it attracts about 12,000.

Another error in the typed copy of the diary is in Oct. 12 and 13 where LEE'S Creek is referred to as SEE'S Creek. By comparing the capital L on "Left encampment" at the beginning of Oct. 16, you can see that the written letter is actually an L, not an S.

I am also sending a copy of the diary of the 1837 removal, conducted by George H. Proffit. This removal involved Chief Kee-wau-nay and several others from around Lake Kee-wau-nay (now called Lake Bruce) in Fulton County. The artist George Winter attended the treaty council in July 1837 and sketched many of the Indians. Then in August they began the trek west. The 1837 journal (to be printed in next month's HowNiKan) of Potawatomi emigration was provided to us by Ivan Nunemaker, Wakarusa, Indiana.

Shirley Willard
Fulton County Historical Society
Civic Center Museum
7th & Pontiac Streets
Rochester, Indiana 46975

(For more information on the Trail of Courage Rendezvous, slated for September 19 and 20, contact Ms. Willard at the above address.)

Support *The HowNiKan*

Send Your
Tax-Deductible
Donations To:

HowNiKan

Route 5, Box 151
Shawnee, Oklahoma 74801

What others say:

Swimmer pens end to Indian sovereignty in Oklahoma

By Helen Chalakee

Proposed federal legislation penciling the 'death wish' on Oklahoma Indian governments' sovereign status was recently drafted by Ross Swimmer, Assistant Secretary, Bureau of Indian Affairs and handed to Oklahoma Governor Bellmon as model legislation to cure the state's Indian problem.

Muscogee Creek Principal Chief Claude Cox commented that he was shocked over Swimmer's actions, saying the "bill would wipe out tribal judicial systems as well as subject tribal economic development to state taxation."

The proposed legislation entitled, "Oklahoma State-Indian Tribal Government Authorities Act", puts criminal and civil jurisdiction over Indians under state control to the same extent that others elsewhere in Oklahoma are subject to. It also gave the state regulatory and taxing jurisdiction over tribal governments.

Swimmer, knowing well the sovereign immune status of tribal governments can only be changed through federal legislation, called for the bill to be enacted by the Senate and the House of Representatives of the United States of America. To get at the tribes would literally take an 'Act of Congress', making it evident to what lengths Swimmer will go to control tribal assets and resources.

The bill goes on and on, finally hitting on regulation of tribal gaming activities which would give the U.S. District Courts in Oklahoma jurisdiction to enforce subpoenas and orders issued by the Secretary (Swimmer); and, to entertain a complaint or action initiated by the state of Oklahoma to enjoin Indian gaming. If this legislation were enacted, Swimmer could enter a complaint against tribal bingo and the state could issue an opinion without the tribe's having the current legal opportunity to move the case to federal court.

The lethal draft was accidentally let out of the Governor's office by his Indian Desk, Allen Wright, when Wright sent notices to the various Indians that had been selected to serve on Bellmon's 'Blue Ribbon Committee'.

The cover letter stated the purpose of this committee was to draft model laws to be submitted to appropriate legislative bodies for their consideration. Wright said it was the committee's responsibility to fully address the complexities of sovereignty and to identify problems and recommend solutions.

Within days, the horrifying legislation was the main topic of conversation throughout Indian Country. Furious at the intent and purpose of the bill, Oklahoma Indians wanted to know where it originated, suspecting Ross Swimmer had a hand in it. A call to Wright's office confirmed their suspicions - "yes", they were told, the bill came from the BIA as model legislation for the committee to use to solve the sovereignty issue.

Bellmon quickly commented that the bill was not intended for public release and that when it was sent out he had not thoroughly reviewed it.

Almost too soon, a 'talking points' memo was issued from Swimmer's D.C. office directing BIA people on how to respond to the issue.

Swimmer's memo said that the draft legislation grew out of a conversation he had had with Governor Bellmon pertaining to jurisdictional issues that have arisen between Indian tribes and the state of Oklahoma.

According to the memo, Governor Bellmon had asked Swimmer if he could give him a draft bill that he could discuss with the Blue Ribbon Panel he had appointed to look at Indian sovereignty within the state and Swimmer had agreed to do so. (Author's note: and I would imagine with a salivating mouth since Swimmer has been intent on state control for Oklahoma tribes since Day One as the Assistant Secretary...it also goes along with his zealous effort to do away with the Bureau of Indian Affairs - with the tribes under state control there would be no further need for the BIA to carry out its trust responsibility.)

Swimmer's memo also said, "The Assistant Secretary's agreement to provide the drafting service for the legislation was merely a courtesy to Governor Bellmon and represents what the Assistant Secretary feels is the current position of the state."

Timing couldn't have been worse, when a few weeks ago the acting director of the Oklahoma Indian Affairs Commission (OIAC) put together a state/tribal relations meeting. Sac & Fox Chief Jack Thorpe said the meeting was a "slap in the face" to the tribes because at that very time this legislation was in the background.

The OIAC legislation has been the only state law that says "yes", there are Indians in Oklahoma. When Governor Bellmon first took office, he scheduled the OIAC for abolishment but was opposed by the legislature. Instead of abolishment, the legislature passed an amendment introduced by Senator Kelly Haney in an effort to reestablish the commission and get it off the courtesy "social" status that previous OIAC leadership had allowed it to become.

A few days after the infamous OIAC state/tribal relations meeting, Governor Bellmon announced he was forming a Blue Ribbon Committee to study the sovereignty issue for ninety days. (Indian sovereignty has been a century-old problem to non-Indians and this special committee was expected to resolve the issue in three months???)

To Indian Country it appeared the Blue Ribbon Committee was stacked. It was divided into two panels. One to represent the state's side and one for Indian Country. Attorneys were chosen for the state panel: Robert Jenkins from the Oklahoma Tax Commission who has vowed to tax tribal governments and is the state's token Cherokee who has represented the state in several suits against

tribal bingo and smoke shops; Steve Lamirand from the State Attorney General's Office; Dr. Alexander Holmes from the Office of State Finance; Senator Jerry Smith (R-Tulsa) Senate Minority Leader (I'm sure they didn't know his Father-in-law is a Creek Nation Supreme Court Judge); Neal McCaleb who is Chickasaw, but served with Ross Swimmer on the Presidential Task Force on Reservation Economics whose final recommendation was to do away with the Bureau of Indian Affairs; and, the Governor's junior administrative aid in charge of the state Indian Desk, Allen Wright.

Appointed to represent Indian Country were; Muscogee (Creek) Nation Principal Chief Claude Cox; Osage Principal Chief George Tallchief; Cheyenne-Arapaho Business Committee Member, Juanita Learned; Caddo Tribal Chairman Herbert Halfmoon who chose not to sit on the committee and was represented at the first meeting by Edgar French, Delaware Tribal Chairman, who also chose not to serve when the Governor directed everyone who was not appointed to the committee to leave the room (the Governor accepted French as an alternate, but he chose to leave anyway); Ira Phillips, an economic development consultant for the Cherokee Nation; and Senator Kelly Haney (D-Seminole).

A series of misunderstandings played out by the Governor's Indian Desk just may have turned the situation to the benefit of the Indians, beginning with Allen Wright exposing the BIA for drafting the legislation.

Wright then said, he and another of the Governor's men were responsible for making the committee selections and said that the particular ones were selected because they wanted a manageable group to work with.

This didn't sit well with the Indians at all, so Wright then clarified his statement saying, by "manageable", he meant that a small group was easier to work with than a large group.

Admitting that he had made a mistake in sending out the legislation, Wright then asked one of the committee members why she felt it necessary to make the legislation public.

When Wright saw how the legislation was affecting the Indians, the first committee meeting location was changed from the Governor's large conference room to the Governor's small conference room and announced the meeting would be closed to the public.

This turned into a debatable issue with the Indians, but the Attorney General's office fixed that. They opined that the status of the panel was of the nature that it could conduct a closed meeting in accordance with the Open Meeting Law. However, nothing was mentioned about the Sunshine Act which prohibits elected officials from conducting closed meetings.

Each of us there who were not appointed to the committee were told by Governor Bellmon to leave the room, but first he allowed the television news crews to come in and briefly shoot before the meeting started. He then told us to identify ourselves and the reason we were there.

Senator Haney explained he had invited a representative from each of the tribes located within his district; Sac & Fox Chief Jack Thorpe and Tom Reavis from Seminole Nation. Chief Thorpe represented not only the Sac & Fox, but was the president of the twenty-tribe member organization, The United Indian Nations in Oklahoma and that he bore a resolution from UINO opposing the proposed legislation.

Next, the daughter of Edgar French was identified and told to leave. At this point, French left also. I explained I was representing the Indian Press and 200,000 Oklahoma Indians were just waiting to read about the outcome of the meeting and besides that I was brought by Chief Cox. The Governor quickly told me there would be no press, Indian or otherwise. So, I hit the door with the others while Wright pulled the drapes on the TV cameras who were shooting from behind the glass wall.

We all congregated in the hall outside the Governor's office while a trooper who had been walking the halls stationed himself nearby. After awhile, Senator Haney came out and told Chief Thorpe that the Governor had requested he join the committee and fill the vacancy left by Halfmoon.

After a lengthy meeting, the Indian committee members came out and told us that it was a unanimous decision to reject the Swimmer legislation. Senator Haney said at their next meeting they would consider the basis of a state/tribal relations bill similar to the one he had submitted two years ago that would put the state and tribes on equal ground. Haney's bill was passed by a large majority in the House, but was killed in the Senate by the Finance Committee in 1985.

Haney also said the committee outlined an agenda deliberately leaving off gaming, leaving that to the courts to decide and they would be meeting again soon to start the talks.

Chief Cox said he had asked for gaming to be left out because the Creek Nation was currently in litigation in federal court with the state. He commented that he was pleased to see something started in the direction of a state-tribal relationship, adding, that it had been needed for a long time to avoid costly litigation such as the Creek Tribe had been subjected to by the state.

Continued, page 13

Constitutional revision death knell for tribes?

(Editor's Note: The following story, authored by Frank Whiakar of the Lakota Times, is reprinted from his series on the threat to Indian rights if a campaign to revise the U.S. Constitution is successful.

Power corrupts; absolute power corrupts absolutely.

That ancient political dictum was once applied to Chinese warlords and Egyptian kings.

Now it appears more and more to be describing the United States Congress and President Ronald Reagan.

The political parallel is not that farfetched. Just as warlords exercised absolute control over whole provinces and kings ruled as gods, so it seems to be happening again these days in Washington, where tribal leaders see "continuing abuse of Indian tribal rights by an aggressive and hostile national government."

That is the view of Vine Deloria Jr., political science professor at University of Arizona, Tucson. Deloria is calling for support for congressional hearings this year on Indian constitutional rights. He doesn't see much hope in changing this Congress and this administration, but insists "it is necessary that the groundwork be laid now for the new administration and Congress that will take office in 1989."

Deloria, author of "Custer Died For Your Sins" and numerous other books on Indian people, admits it will be a hard fight to reverse government and Congressional actions which have been detrimental to tribes for the past 84 years. He traces the harm done to Indian rights from a 1903 case in which the U.S. Supreme Court gave Congress plenary power over Indians. "Plenary" means "full, complete and unqualified." How it has been used to harm Indians is described by Deloria in his Indian rights position paper for the 1987 U.S. Constitution bicentennial year celebration:

Q. What is The Plenary Powers Doctrine?

A. In 1903 in the case of Lone Wolf vs. Hitchcock, the Supreme Court announced a new doctrine in federal Indian law to the effect that Congress had arbitrary and unrestricted powers over the Indian tribes which even the Supreme Court could not limit.

Q. Was there any hint that the high court could take such a drastic position?

A. There is a certain foreshadowing of this line of reasoning in the case of Kagama, when the Supreme Court upheld the constitutionality of the Seven Major Crimes Act although citing no constitutional phrase and, in fact, rejecting the most frequently cited clauses and powers

Q. How is this plenary, or unlimited power, used?

A. Presumably this power is not to be exercised in a vacuum in the sense that it is separated from all other policy statements by Congress such as the Ordinance of 1787 which describes a standard of "good faith" which must be observed toward the Indian tribes.

Q. What is your concern about?

A. The major problem with the plenary power is that the focus of its attention - Indians - is not defined with sufficient clarity to prevent continuing abuse of Indian tribal rights by an aggressive and hostile national government.

Q. Can you give an example of its abuse?

A. If, for example, the plenary power was used to move whites from lands whose title resides in the tribes, such as clearing most of Nevada or Maine for its Indian owners, there might not be justification for the power but a sense of fairness in its exercise would be evident.

Q. Has this power ever been used against whites?

A. As it now stands, the plenary power is only exercised to the detriment of the tribes, and, therefore, is suspect in its origin and constitutionality.

Q. Why are you now questioning these congressional powers?

A. Because there is a possibility for mischief, and because the federal government is becoming increasingly less trustworthy, to both American Indians and American citizens. It is imperative that there be an effort to reverse or severely restrict the idea of congressional plenary power over Indian affairs.

Q. When would you like to see this done?

A. This change can be effected during this coming year if the tribes organize themselves to do so and offer the proper arguments in the proper forums.

Q. What would those arguments be?

A. The two best arguments would appear to be those of justice and constitutionality.

Q. How would you argue for justice?

A. The justice argument calls into question the fairness of the doctrine of plenary power. It has a certain equitable appeal and is designed to involve the public emotionally.

Q. How is it unfair?

A. In signing treaties and agreements with the United States, Indian tribes relied upon the good faith of the United States and Indians relied upon that good faith, in the sense that there was no indication that promises made in treaties and agreements would be amended, changed or abrogated without the consent and consultation of the tribes.

Q. Can you give an example?

A. In the Lone Wolf case the Supreme Court actually rewrote American history when it said that Congress had always had a plenary power over Indian tribes. This contention has no historical evidence to support it and if it were actually used as a doctrine of textual interpretation would suggest that the plain language of treaty and agreements does not say what it clearly means.

Q. How have the courts violated this "good faith" intent of Indians?

A. We must argue that it is not fair for the federal courts to adopt an unusual and narrow interpretation of history and law that clearly violates assurances of good faith and simple principles of language and grammar. The United States should not be able to change the nature of the federal-Indian relationship in a manner that will benefit only itself without providing the tribes with some comparable measure of protection.

Q. How can this be stopped?

A. Congress must clearly disavow the Plenary Power Doctrine or provide criteria of when it can be applied lawfully and constitutionally to Indian tribes.

Q. Now that brings us to your second argument for restricting plenary power, constitutionality.

A. The constitutional issue is easier to understand and easier to explain. Congress cannot exercise powers which do not appear in the Constitution. The powers the federal government possesses are given to it by the states; the remaining sovereign powers are reserved to the states or to the people themselves.

Q. So the Constitution does not give Congress absolute power over Indians?

A. There is no article, clause or phrase found in the United States Constitution that clearly and specifically gives the Congress a plenary power over Indians and Indian matters.

Q. What powers does it have relevant to Indians?

A. The congressional powers which have any relevance to Indians are the powers to make treaties, to regulate interstate commerce and to provide for the common welfare. These powers are clearly stated; they can be exercised without making congressional power absolute with respect to Indians.

Q. What is Congress' argument?

A. Even if Congress and the courts argue that an implied power is needed for Congress to act in Indian matters, nevertheless a reasonable and logical connection must be shown to exist between the congressional powers described in the Constitution itself and the implied plenary power which is said to arise when Indians are the subject matter.

Q. Can't the courts reduce Congress' unlimited power?

A. The Plenary Power Doctrine will not be repealed, overruled or modified by federal court action. The case of Lone Wolf is a great embarrassment; it is an unwarranted instance of courts stepping outside the Constitution and making law. Consequently, no lower court and the Supreme Court itself will not venture to disturb it, lest the irrationality of the case hold the courts up to closer scholarly scrutiny and criticism.

Q. What's the answer?

A. We must look to legislative action. We must seek some kind of self-limitation or clarification by Congress as the best way to bring this doctrine under control.

Q. What are your chances of accomplishing this?

A. One major reason that we support congressional hearings on Indian constitutional rights this year is that these hearings would enable us to raise this question of self-limitation by the legislative branch. While it is unlikely that we can get a repeal or limitation enacted by this Congress, it is necessary that the groundwork be laid now for the new administration and Congress that will take office in 1989.

Q. What are you proposing as a strategy to get this done?

A. This year is the celebration of the bicentennial of the United States Constitution. We can have a simple but powerful strategy to present Indian rights to the nation and clarify many of the problems that have caused us grief in the legal and political arenas for so long.

Q. How do you propose to do this?

A. Two things can be done, together, to present our case:

•Hire a nationally respected white lawyer or law professor to prepare and present our case, someone of the stature of Archibald Cox,

Ramsey Clark or Edward Bennett Williams; and

•Pressure our Senators to hold extensive hearings in Washington in May or June on American Indians and the Constitution.

Q. What do you hope to accomplish?

A. At these hearings we can have our nationally respected lawyer present our case and tribal delegations can present their testimony on specific instances of abuse of tribal rights by the federal government along with their specific recommendations for legislative correction of these abuses.

Q. What is needed to make this a reality?

A. By Indian leaders adopting a strategy and making a commitment to move forward with it.

Swimmer (from page 11)

Chief Cox also said he was pleased that he had been asked to serve on the committee and that he would uphold tribal sovereignty all the way through. He said he couldn't go back and face the Creek people unless he stood up for tribal rights.

"Now that we have Swimmer's proposed legislation out of the way, we can send it back to Washington for him to use as toilet tissue," summarized the Creek Chief.

(Reprinted from the June 1987 Muscogee Nation News)

Opinion Aho Nikané

This month marks my four-year anniversary with the Citizen Band Potawatomi Tribe and this issue of the HowNiKan marks my last as editor.

As you all know, I'm getting married the end of this month to Tribal Chairman John Barrett. At my age (36 this month) that's a big step and it's accompanied by many small steps that all amount to what the psycho-babblers label a major "passage." I have received so many passionate letters and phone calls of support and met so many of you face-to-face that I feel obligated to share some of my feelings with you now.

It will take a long time for my memories of working for the tribe to fade into objectivity. I doubt the commitments I have made on your behalf will ever sink below the level of "passionate." Having worked for so many years in the (dare I say it?) jaded world of mainstream journalism prior to coming to the tribe I was amazed at the immediate indignation and righteousness I was able to muster within weeks of hiring on here. I have seen your history, your inherent sovereignty, your dignity and your reputation as a people attacked by bureaucrats, thieves and the judicial system. And I have seen a few of you, along with a few of your elected officials, fight tooth and nail not only to salvage what remains of your common past but persevere against all odds to guarantee your children and their children a personal identity and a

cultural heritage.

Twice in the last month I have actually heard people say, "If there's no more per capita money then why should I bother with being Potawatomi?" It's a mentality that escapes me. I can't imagine denying my German or Cherokee heritage because there was "nothing in it for me" - and I've never received a dime for it! There's an old Sixties idiom that says "If you don't know who you are, you probably don't know where you're going." It's an old slogan that deserves resurrecting.

You Potawatomi need to find out who you are. It isn't an easy thing to do in a period of history where bureaucrats from the White House on down are determined to terminate your existence. But do it anyway. And in finding out who you are you'll be amazed at your increased interest in who's minding the store here at the tribal complex — your personal seat of government. The 1987 campaign for tribal election involved some of the most heinous "dirty tricks" I was ever personal witness to — and that's coming from a woman who worked for a governor, a state Democratic Senate and covered more county and city election campaigns than I care to remember. Loyal and professional tribal employees were dragged into the melee, as were local civic leaders doing business with the tribe, relatives of employees and candidates and governmental representatives.

That just has to stop. It was not so much the incumbents running for office who were hurt by the slander as it was the tribe — and that's you. What businessman who gets threatening calls in the middle of the night is going to rush out in the morning to sign a contract to do business with us? What respected, professional tribal member is going to run for tribal office, knowing that his family, business and associates are liable to be slandered through the U.S. Mail by his opponents?

I have been proud to serve as the tribe's representative on numerous national boards. I have been proud of the HowNiKan's prestigious awards and I have been proud of the credibility, respect and cooperation we have engendered within the surrounding communities. But I was ashamed of the behaviour of the Potawatomi who ran for office not on a platform of promises but on a psychological campaign of intimidation and lies. And I am deeply concerned that less than half of the people I met personally at Regional Councils bothered to vote in this election. Since I've already jumped on the Sixties soapbox here's another old slogan to ponder:

"If you're not part of the solution, you're part of the problem."

These are the thoughts I want to leave you with, as well as the promise you'll be hearing from me again. I am currently concluding preparations for two of Father Joseph Murphy's books to be printed by the tribe. There are several papers I have delivered over the last four years that I hope will appear in future HowNiKans. I have a phonetic dictionary in the works and have accumulated enough historical information over the years to put together a few small publications of my own. My personal plans include completion of my Master's degree, returning to "outside" newspaper work and establishing a new home and family. I have great hopes for the Citizen Band — and I have spread them across the country in written form and by word of mouth.

Don't stop now; you're on a roll!

Pat Sulcer

HowNiKan Editor

Thank You For Your Support!

For all who helped and contributed to my re-election, you have my most heartfelt gratitude. I promise to do my best to conduct a tribal government you can trust and respect.

Migwetch, Nikone

**John "Rocky" Barrett
Chairman**

Journal of removal — part II

Thursday, 11th Oct. - At 9 o'clock the emigration moved from the encampment of the last two days. The rest of yesterday and the day before had much recruited the health and spirits of the Indians. The march was pleasant and without the occurrence of any difficulties. We are encamped at Pleasant Spring, near Palmyra, Mo. Capt. J. Holman, of Peru, Ia. arrived in Camp today. He serves in the capacity of Assistant Superintendent, having received his appointment at the suggestion of reports unfavorable to the health of the officers attached to the emigration. A woman died shortly after we encamped today. An ox wagon engaged in the transportation of Indians, having lost its cattle was forced to remain behind with its load. The wagon along with those left to hunt the oxen will be up to-morrow. Distance travelled to-day thirteen miles.

Friday, 12th Oct. - Early this morning we prepared for marching, and at 8 1/2 o'clock were under way. We passed through Palmyra at 10, and had little difficulty in preventing the excesses of the Indians. After we arrived in camp, however, two or three Indians were found to have procured liquor, and become much intoxicated. They were immediately arrested and put under guard. We are now encamped on See's creek, thirteen miles from Pleasant Spring, the camp of last night. The health of the Indians is considered so good that medicine has not for some time been administered to them. Subsistence beef and flour. Forage corn and corn fodder. The Indian horses are suffered to graze through the woods. The wagon left behind yesterday came up this evening after dark. Gen. A. Morgan, who has heretofore been acting in the capacity of Assistant Superintendent in the emigration gave notice that he should offer his resignation to-morrow.

Saturday, 13th Oct. - This morning as we were on the eve of leaving our encampment, a number of the Indians headed by the chief Ash-kum came up to Head Quarters, and requested an interview with the Conductor and Gen. Morgan. Ash-kum arose and in a short talk informed the Conductor that the Indians were unwilling that Gen. Morgan whom they had been taught to recognize as principal in the emigration, should leave them. They felt, he continued, that Gen. M. was near to them as a protector - he had made them pledges upon which they depended, and the fulfilment of which induced them in part to consent to their emigration. The Indians also requested thro' Ash-kum liberty to travel less and remain longer in camp. Judge Polke answered. He informed them that Gen. Morgan had voluntarily offered his resignation, and that he had been appointed to conduct them to their new homes, with the consent of Gen. M. etc. etc. Gen Morgan also responded and returned his thanks to the Indians for the interest which they manifested in his welfare. The chief I-o-weh dissented in strong terms from the sentiments expressed by Ash-kum. He stated that these men (alluding to Ash-kum and his associates) were not chiefs - that they were not entitled to respect as such. He wished that Judge Polke should conduct them to their new homes, and that Gen. Morgan should return. He was contented with the Officers remaining with the emigration. The emigration left at 9 o'clock. Gen Morgan having previously departed. The day was very windy, and the dust exceedingly afflicting. At 3 o'clock we arrived in camp at Clinton, a distance of seventeen miles from See's creek. To-morrow we shall remain in camp.

Sunday, 14th Oct. - To-day according to a promise made the chiefs a few days ago, we remained in camp. The Indians attended service during the day, and seemed quite to enjoy themselves. In the Evening the chiefs Ash-kum, I-o-weh and others, along with a number of the Indians, assembled at Head Quarters, and shook hands for a talk. They came, I-o-weh said, to demand the dismissal or suspension of Dr. Jerolaman, the physician for the emigration, whom they had ceased to like, and did not wish him longer to accompany the emigration. Judge Polke answered and informed them that their request was one of so much importance and so unusual in emigrations, that he hoped he might be allowed time not only to decide himself but to counsel with his officers. The Indians then retired, with the understanding that an answer would be given them to-morrow evening.

Monday, 15th Oct. - At 8 o'clk. this morning we were on the march. The day was very windy, which rendered our passage across the prairie very disagreeable. Many of the Indians suffered a good deal. At noon we reached our present encampment, near Paris, twelve miles distant from the camp of last night. During the evening the chiefs, according to arrangement of last night, along with a large number of the Indians, came up to Head Quarters, and repeated their request of last night. The Speaker said that he did not demand it for himself or for his associates alone, but for every man, woman and child in camp - they all united in soliciting the discharge of Dr. Jerolaman. The Conductor briefly informed them that Dr. J. had received his appointment from government - that he felt a delicacy in discontinuing an officer of government - that the Indians were not compelled to receive the services of Dr. J - they were free to choose for themselves - that he thought it his duty to retain his services as physician for the officers of the emigration, and that viewing their request in the light he did, he could not consistent with his duty, grant their request. He hoped they would forget their prejudices, and still continue friendly with Dr. J. - and that his decision might not affect the feelings of unity which had so far subsisted between the officers and their red brethren. In conclusion he informed them that he had purchased, in the hope of allaying their discontent, a keg of tobacco, which he wished them to smoke in token of continued friendship. The Indians then retired, not, without, however, first

requesting leave to renew the subject again. Subsistence, beef, corn and potatoes. Forage corn & hay.

Tuesday, 16th Oct. - Left Encampment at Paris this morning at 8. Our march was unusually long - water being scarce throughout the country. At 3 o'clk. we arrived at Burkhart's Encampment, eighteen miles from Paris. The day was quite cold, last night having frozen water in camp. Health still improving. Complaints of sickness are scarcely to be heard.

Wednesday, 17th Oct. - Although the appearances of the weather were unfavorable, we were at an early hour preparing for the day's journey. At 8 the snow commenced falling very fast, and continued during the greater part of the day. Travelling was difficult, the road being exceedingly slippery, and the snow falling so fast as to render very cold and unpleasant the whole journey. At 3 o'clk. we reached our encampment near Huntsville, about thirteen miles from Burkhart's. The Indians travelled without complaint, and seemed greatly to approve of the exertions of government to place them at their new homes. Subsistence flour and beef. Forage corn and hay. The snow at night changed to rain, which almost inundated the encampment. A quantity of straw was procured, which generally distributed throughout the camp rendered the Indians tolerably comfortable for the night.

Thursday, 18th Oct. - To-day owing to the continued rain we were forced to remain encamped. Added to which the state of the roads forbid our travel. Nothing occurred during the day, save the drunkenness of a few of the Indians who had procured liquor at Huntsville. To-morrow we expect to move. Provisions and forage the same as yesterday.

Friday, 19th Oct. - Early this morning the Indians were busily engaged in making preparations for a march. At 8 o'clock we were on the way. At 12 we reached encampment on Middle Chariton, eleven miles from the camp of last night. The day was cold and clear - the journey, however, was accomplished without the distress of Wednesday. The Indians still seem to be anxious to reach their destination.

Saturday, 20th Oct. - Left Chariton Encampment at 8 o'clock this morning. The road was quite muddy, and the air very cold. At 12 we reached our present Encampment on Grand Chariton, two miles from Keatsville. To-morrow being the Sabbath we shall remain in camp. The health of the Indians is almost completely restored. There are perhaps scarcely a dozen cases in camp. Subsistence beef and flour - of which the Indians are becoming tired. Bacon and pork cannot be procured. Forage hay and corn. Distance travelled to-day eleven miles.

Sunday, 21st Oct. - To-day we remained in camp to allow the Indians, according to a request made by them, an opportunity for worship. During the day a considerable quantity of apples and cider was purchased and given to the Indians. The health continues good. One or two of the Officers have within the last few days been much indisposed.

Monday, 22nd Oct. - At an early hour this morning we left our encampment, and passing through Keatsville, journeyed towards the Missouri River. At 2 o'clk. P.M. we reached Grand River, preparations for ferriage of which had before been made, and immediately commenced its crossing. By dark all the Indians and many of the wagons were over. The remainder will cross in the morning early and by 12 we hope to be able to continue our journey. Distance travelled to-day fifteen miles.

Tuesday, 23rd Oct. - The morning was early employed in ferrying the remainder of the wagons. By 12 o'clk. all were across, and we prepared for the continuation of our journey. The bottom lands of the Missouri being too flat and wet to encamp upon an hour longer than was essentially necessary, at 1 o'clk. we left Grand River Encampment, and passing over prairies (the cold being severe) arrived at Thomas' Encampment at a little after 4, a distance of ten miles. Subsistence beef, flour and corn. Forage corn and corn fodder.

Wednesday, 24th Oct. - This morning before leaving Camp a quantity of Shoes were distributed among the indigent and barefooted Indians, the weather being too severe for marching without a covering to the feet. At 8 o'clock we left Thomas' encampment, and at 12 reached Carrollton, near which place we are now encamped. Distance twelve miles. Nothing occurred on the way. The cold was intense on the prairies. The country through which we passed to-day is very much excited. Nothing is heard - nothing is talked of but the Mormons and the difficulties between them and the citizens of Upper Missouri. Carrollton is nightly guarded by its citizens.

Thursday, 25th Oct. - Having an unusually long journey before us, across a prairie, we moved from Carrollton encampment at half past 7 o'clk. and without meeting with difficulties or obstructions, but somewhat fatigued, we arrived at Snowden's near whose farm we encamped. The journey was made unnecessarily long because of the scarcity of water and timber, and the absence of provisions and forage. Some time after our encampment the Conductor was waited upon by a gentleman, who it appeared had been delegated by the citizens of Richmond (a village near us) to request assistance as they really anticipated an attack from the Mormons tonight. Judge Polke informed

the gentleman that such a step on his part would be entirely without the line of his duty. His duties were particularly delegated to him by the government, to which he was responsible for the faithful performance of the same. He hoped that the excitement would abate, and the aid which he required be rendered unnecessary. Provisions and forage as usual.

Friday, 26th Octr. - At 8 o'clock we left our encampment, and at 10 reached the Missouri river, opposite Lexington. We immediately commenced ferrying, and shall perhaps be able to get the wagons all over before night. We found the ferry engaged in transporting females who were flying from their homes. Great excitement prevails. Reports are rife throughout the country of bloodshed, house-burning, etc. The people seem completely crazed. By sunset all the wagons save a few were on the opposite bank of the river. Early in the morning we shall proceed to cross the Indians.

Saturday, 27th Octr. - At sunrise the ferry boats were busily plying from shore to shore. As fast as the Emigrants reached the southern bank they were hurried on their journey. At 2 o'clock the party were all over the river, and hastened to join the front of the emigration. At 4 o'clock the front of the party reached our encampment at Little Schuy creek, eight miles from last night's camp.

Sunday, 28th Octr. - To-day we remained in camp. We have performed a good week's travel, ferrying two rivers in the time. Health of the camp as good as it has been. This morning the Indians with Ash-kum at their head, came to Head Quarters and informed the conductor of some difficulties which they were fearful might occur in the exercise of the unrestricted power claimed by I-o-weh, whom they did not choose to acknowledge as a chief of the blood. They also requested information in regard to their annuities, etc. Judge Polke hoped that they would cease to speak of a subject which could not be of benefit to them, but on the other hand might affect the progress of the emigration. When the journey was completed they were at liberty to speak and decide among themselves. He had yet some tobacco, which he should offer them in hopes that they would still continue in peace and harmony. He also informed them what he knew of their annuities, etc. The Indians then retired apparently contented. A child died after night some time - the first for the last four weeks.

Monday, 29th Octr. - At 8 o'clock we resumed our journey-the morning being delightful and fine for travelling. At 12 we reached Prairie creek ten miles from Schuy creek. Subsistence flour, corn-meal, beef and pork and game of every kind. Forage, corn, hay and fodder. About 5 o'clock Capt. Hull arrived in camp with the Indians left at Logansport and Tippecanoe, numbering in all some twenty-three. They are in tolerably good health and spirits and will perhaps accomplish the remainder of the journey in the company of our party.

Tuesday, 30th Octr.- We marched from Prairie Creek this morning at a little before 8, and at 1 p.m. reached our present encampment at Blue River, fourteen miles from this morning's camp. The journey was unusually pleasant, the day warm, and the emigrants in the company of their friends, who came up yesterday evening, very gay and cheerful. Some time after our encampment Capt. Hull reported himself to the conductor and the number and condition of the emigrants under his charge. They number in all twenty-three, having five horses and three transporting wagons in company. They will be attached to the emigration under the charge of Judge Polke to-morrow.

Wednesday, 31st Octr. - Left Encampment this morning at half after 7 o'clock-the company under Capt. Hull being attached to the emigration - and at 12 o'clock passed through Independence. At 1 we reached our present encampment two miles south of Independence, and ten miles from the camp of yesterday. After reaching camp in the evening a small quantity of shoes were distributed among the emigrants. Many Indians came into camp during the afternoon much intoxicated.

Thursday, 1st Novr. - Left camp Independence at a little after 9 - one hour or so having been allowed the Indians for their religious exercises. At 3 o'clock we reached our present encampment on Blue River, sixteen miles. The journey was exceedingly pleasant - the weather being warm and the road very good. Subsistence and forage of a good and healthy character, and to be had in abundance. To-morrow we shall cross the state line, and thereafter experience some difficulty in provisioning - the country being almost an entire wilderness.

Friday, 2nd Nov. - This morning broke upon us rainy and disagreeable. The Conductor being anxious, however, to complete the journey now so near at an end, gave the word for a move, and at 8 o'clock we were on the road - the rain increasing as we advanced. At 9 we crossed the boundary line, and found ourselves in the heart of a prairie, with scarcely any traces to mark our route. The journey was continued and at 12 a large portion of the emigrants on horseback became detached from the wagons, and wandered over the prairie four hours in search of the trace of the wagons. It was found at length, and we reached the camp ground set-out for at 3 o'clock, having travelled a distance (it was computed) of twenty-five miles, although we are now but twelve miles from the encampment of yesterday. Our encampment is known as the North Fork of Blue river. Subsistence beef and corn. Forage corn.

Saturday, 3rd Nov. - At an early hour we left our encampment at Oak Grove, and travelled until 2 o'clock when we reached a settlement of Wea In-

dians, on bull creek, and camped adjoining Bull-town. Our journey was pleasant, and was marked by the anxiety of the Indians to push forward and see their friends. During the evening an attempt was made to enroll the Indians, but not very successfully. They did not seem (or would not) to understand or appreciate the object. Late in the evening several of the chiefs came to Head Quarters, and requested to remain in camp to-morrow. But the journey being so nearly completed, and the scarcity of forage and provisions induced the conductor to deny their request, and insist upon travelling.

Sunday, 4th Nov. - Left Bulltown encampment this morning at 9 o'clock. Two hours having been allowed the Indians for devotional purposes. At 2 we crossed the Osage, where the Indians were met and welcomed by many of their friends, and at half after 3 reached Pottawatomie Creek, the end of our destination. The emigrants seemed delighted with the appearance of things - the country - its advantages - the wide spreading prairie and the thrifty grove, the rocky eminence and the meadowed valley, but particularly with the warm and hearty greetings of those who have tested (and but to become attached to,) the country assigned them by government. The evening was spent in preparing for some settlements of to-morrow. The distance of to-day's travel is computed at twenty miles. Mr. Davis, the Agent, we found absent.

Monday, 5th Nov. - The day was consumed in making settlements with the Officers. During the afternoon a considerable number of the Indians, assembled at Head Quarters, and expressed a desire to be heard in a speech. Pesh-kay rose and in substance said: -That they had now arrived at their journey's end - that the government must now be satisfied. They had been taken from homes affording them plenty, and brought to a desert - a wilderness - and were now to be scattered and left as the husbandman scatters his seed. The Agent, Mr. Davis, they knew not, and his absence would not afford them an opportunity of deciding what they might expect from him. The Indians did not think such treatment of a character with that promised them in their treaties. They hoped Judge Polke, their friend, would remain with them and see that justice should be rendered. Judge Polke informed them that considering their request too important to be disregarded, he would return from Independence, whither it was necessary he should go to attest the settlements of the emigration, and remain with them until Mr. Davis's return. He would leave his son (Mr. B.C. Polke) who would in company with them visit and select such localities in the country as might please them. They returned for answer that they would reply in the morning. The Council then broke up. Quite an old man died after coming into camp last night. Beef and corn were delivered to the Indians in the afternoon. During the evening, a wagon belonging to and owned by Andrew Fuller, a Pottawatomie, containing six Indians, came into camp. They had travelled from Michigan with the intention of becoming citizens of the Western Territory, and borne their expenses for the whole route. They came without any instructions from the Agent at Logansport.

Tuesday, 6th Novr. - We were early preparing to move on our return - the Officers and wagoners generally expressing much anxiety to hasten their return. The Indians assembled again, and after a repetition of the requests and arguments of yesterday, informed the Conductor that they were willing he should leave them, but they should expect his return. In the meantime they hoped that Judge Polke would interest himself in their affairs. They had confidence in him, and hoped he would not abuse it. Immediately we left our encampment, and proceeded on our return. Much feeling was manifested at our departure. On our way we passed a wagon containing two dead persons. A sick family of Indians had been left at Bull-town, two of the sick had died. They reached the camp of the Indians before night. We arrived at our encampment of Saturday last at 3 o'clock. To-morrow we shall proceed to Westpoint.

Wednesday, 7th Nov. - Travelled from Bulltown encampment to McLean's Grove, a distance of twenty-five miles. It had snowed the night previous and continued most of the day, which was very windy and excessively cold. But a small number of the Teams kept in company - most of them selecting their own routes.

Thursday, 8th Nov. - Left McLean's Grove and travelled to Westpoint a distance of nine miles to breakfast. After breakfast we continued on our way, and arrived at Camp near Independence at 5 o'clock. Several of the teams were already in camp, and others coming in. To-day we travelled a distance of twenty-one miles.

Friday, 9th Nov. - During the day the wagons left behind us came into camp. The settlements with the teams will be commenced to-day and perhaps be concluded to-morrow.

Saturday, 10th Nov. - The settlements with the teamsters and officers were concluded to-day. To-morrow we set out for home every thing having resulted as well and as happily as could have been anticipated by the most sanguine.

I believe the foregoing Journal to be correct in every thing pertaining to distances, localities, etc., etc.

- J.C. Douglass, Enroll. Agent.

Scale of Distances. - From Logansport to Quincy...339 miles, From Quincy to Independence...213, From Independence to Pottawatomie Creek, W.T...66, From Naples, Ill., to Quincy...49, From Springfield, Ill., to Naples...59, From Springfield to Danville, Ill...126.

For the record . . .

Business Committee Minutes - May 11, 1987

Present: John Barret, Bob Davis, Francis Levier, Kenneth Peltier, Accounting Director Carolyn Givens, Asst. Administrator Pat Sulcer, Tax Commission Director Ed Wilson and Economic Development Director Bob Shapiro

Chairman John Barrett called the meeting to order at 5:45 p.m.

Business Committee consensus was to change the order of the agenda.

A request from a tribal member for permission to run a concession stand at the tribal Swap Meet was reviewed. Bob Davis moved to approve the request on the condition that the applicant receive IHS inspection and a license from the Tribal Tax Commission. Kenneth Peltier seconded; passed 4-0.

Following discussion on rental of the tribal pow wow grounds to other organizations, Bob Davis moved to charge \$100 rental fee per day/night and a \$50 returnable clean-up and damage deposit. Rentors will be responsible for their own security and clean-up on the grounds. Francis Levier seconded; passed 4-0.

The Business Committee instructed Tax Commission Director Ed Wilson to draft a Potawatomi License Plates ordinance for Committee perusal. The action was taken as a result of the Oklahoma Tax Commission's attempt to sell "tribal vehicle license plates" to all Oklahoma Tribes. The state's action, following the Sac and Fox Tribes's victory in the courts to issue their own license plates, is being viewed as another attempt by the state to assume jurisdiction of the tribes. Francis Levier moved to have Wilson draft an appropriate ordinance for issuing plates to the tribe and tribal members living on trust land. Bob Davis seconded; passed 4-0.

The Business Committee agreed to send a letter to the Oklahoma Indian Affairs Commission declining an invitation to meet together "until appropriate action is taken by the State in the state tax commission's case against the tribe and legislation is adopted recognizing the tribe-state government to government relationship."

Patrick O'Connor, tribal member and nationally recognized sculptor, addressed the Business Committee on the possibility of creating an eight-foot bronze statue for the tribal grounds. Mr. O'Connor has volunteered his time and would only ask for expenses, thus a sculpture normally costing \$120,000 could be had by the tribe for approximately \$30,000. Kenneth Peltier moved to have Mr. O'Connor submit preliminary sketches. The Business Committee will seek funding sources for the project. Noting that other artists have also approached the tribe with similar projects, Francis Levier seconded; passed 4-0.

Assistant Administrator Pat Sulcer gave a report on the deteriorating condition of the existing original buildings at Sacred Heart. It was noted that residents of the Konawa-Sacred Heart community had shown an interest in preserving and securing the site to prevent further desecration. Committee consensus was to schedule a meeting with the Abbot and all other interested parties.

Francis Levier moved to approve Potawatomi Resolution #87-65 notifying the Senate Select Committee on Indian Affairs of the tribe's opposition to Senator Melcher's proposed bill #1039 that would suspend tribes' ability to tax. A dissertation on the state and municipal right to tax non-residents as correlated to tribes' tax on bingo and cigarettes will be drafted. Bob Davis seconded; passed 4-0.

Francis Levier moved to approve the March 9, 1987 Business Committee minutes as read. Bob Davis seconded; passed 4-0.

After discussion of the 1987 Pow Wow, Bob Davis moved to allocate \$8,000 for prize money for the annual pow wow. Kenneth Peltier seconded; passed 4-0.

Francis Levier moved to approve the Committee minutes of March 23 as read, with one amended sentence. Bob Davis seconded; passed 4-0.

Francis Levier moved to approve the minutes of the April 14 Business Committee meeting as read. Kenneth Peltier seconded; passed 4-0.

Francis Levier moved to approve the April 27 minutes as read. Kenneth Peltier seconded; passed 4-0.

After reviewing the contract for Tribal Attorney General, Francis Levier moved to approve with a \$300 a day limit set for compensation. Bob Davis seconded; passed 4-0.

Committee recessed at 7:20 p.m.

Committee reconvened at 7:35 p.m.

Bob Davis moved to approve Set-Aside Appropriation #87-16 for \$11,197.91 for construction of the showers and restroom facilities at the pow wow grounds. Francis Levier seconded; passed 4-0.

Appropriations 87-11 and 87-12 were tabled until the next meeting pending authorized back-up information.

Kenneth Peltier moved to approve Potawatomi Resolution #87-66 authorizing Francis Levier to be the tribal sign-off representative on IHS installed septic tanks. Bob Davis seconded; passed 3-0, Levier abstaining.

Committee went into Executive Session.

Meeting adjourned at 8:25.

Special Business Committee Meeting - June 18, 1987

Present: Chairman John Barrett, Francis Levier, Economic Development Director Bob Shapiro; Bob Davis and Kenneth Peltier via telephone.

Francis Levier moved to authorize negotiations and purchase agreements of Robberson Steel of Oklahoma City. Bob Davis seconded; passed 4-0. Potawatomi Resolution #87-70.

Business Committee Minutes - May 27, 1987

Present: John Barrett, Kenneth Peltier, Francis Levier, Bob Davis, Asst. Administrator Pat Sulcer, Economic Development Director Bob Shapiro, Tax Commission Director Ed Wilson, Tribal Store Manager Jan Gale, Tribal Rolls Director Ava DeLeon, Visitor Tim Lowry, Election Commission Members Norman Kiker, Don Yott, Clarice Melot, Gary Bourbonnais, David Bourbonnais.

Chairman Barrett called the meeting to order at 6:15 p.m.

Tim Lowry of a newly formed Sacred Heart preservation society addressed the Business Committee on concerns of the Sacred Heart/Konawa community regarding the tribe's plans to move three buildings from the Sacred Heart site. According to Lowry, his organization has held several meetings and has scheduled a Sacred Heart clean-up day. The Business Committee consensus was that a joint project between Lowry's group, the Tribe and St. Gregory's would be the best solution to the concern over the desecration and vandalism occurring at the Sacred Heart. Lowry will address the Business Committee with a proposal for security and renovation at a later date. Plans to move the existing buildings from the site will be put on hold for the present time in order to see whether or not renovations and security can be arranged at the site.

Tribal Store Manager Jan Gale addressed the Committee concerning the agenda for the store's ribbon cutting celebrating the new expansion. The mayors and Chamber of Commerce presidents of both Tecumseh and Shawnee, as well as BIA dignitaries have been invited. A local radio station will have a remote at the site and representatives from various vendors will be on site. The ceremony is slated for May 29 at 10:30 a.m.

Tribal Rolls Director Ava DeLeon submitted requests and documentation from six applicants for enrollment and a request for rescission from the tribe in order to qualify for Chippewa enrollment. Francis Levier moved to approve Potawatomi Resolution #87-67 rescinding a member's enrollment from the Citizen Band so they may be considered for enrollment by the Chippewa Tribe. Bob Davis seconded; passed 4-0.

Bob Davis moved to approve Resolution #87-68, accepting six qualified applicants for enrollment. Francis Levier seconded; passed 4-0.

Discussion was held with the Election Committee concerning Hilton Melot's filing for tribal office and his sister's previous appointment to the Election Commission. The Election Commission was appointed, according to ordinance, before Mr. Melot filed for office. Consensus was that the Business Committee and Election Commission would be suspect if they amended the Election ordinance at this late date, as well as suspect if they didn't. Election Commission chairman Norman Kiker assured the Business Committee that Melot's sister would be in no position at any time to jeopardize the election outcome.

Discussion was held on the set-aside budget to be voted on by referendum. Set-aside funds may only be allocated for the following categories (as mandated by Congress): Maintenance; Economic Development and Land Acquisition. Administrative guidelines established in 1984 will remain the same for set-aside expenditures approved this year.

Kenneth Peltier moved to approve \$700 be allocated for travel expenses from the Tribal Activities Fund for the tribal pow wow princess. Bob Davis seconded; passed 4-0.

Francis Levier moved to waive the reading of the previous minutes; Kenneth Peltier seconded. Passed 4-0.

Bob Davis moved to approve an Oklahoma Natural Gas Company easement for gas hook-up to the elderly housing project; Francis Levier seconded. Passed 4-0.

Francis Levier moved to approve Potawatomi Resolution #87-69 "opposing vehemently a draft bill submitted by Governor Bellmon" to his "blue ribbon commission" on Indian sovereignty. Copies are to be sent to Bellmon, our Congressmen and the Senate Select Committee on Indian Affairs. Bob Davis seconded; passed 4-0.

After review of two proposed Recall and Removal ordinances, the Business Committee selected the draft ordinance submitted by Michael Minnis and made the following changes: Subsection 4-107 - add appeal provisions from Art. 9, Section 3 of the constitution; Subsection 4-102 - add numbers of codes to be used in defining misconduct in office. Committeemen also moved to strike banishment as a punishment from all criminal reference codes. Motion made by Bob Davis; seconded by Francis Levier - passed 4-0.

Francis Levier moved to make the following amendments to the tribal criminal codes: #234 (a) - strike the words "not his or her spouse"; #233 (a) strike the words "who are not husband and wife." Bob Davis seconded the motion; passed 4-0.

After selecting the criminal codes to be used to define misconduct in office Francis Levier moved to adopt the 1987 Recall and Removal Ordinance pursuant to the tribal constitution. Bob Davis seconded; passed 4-0.

Business Committee Minutes - June 24, 1987

Present: Chairman John Barrett, Secretary Kenneth Peltier, Committeemen Bob Davis and Francis Levier, Assistant Administrator Pat Sulcer, Economic Development Director Bob Shapiro, Tribal Rolls Director Ava DeLeon.

Chairman John Barrett called the meeting to order at 6:30 p.m. Committee consensus was to change the order of the agenda to accomodate Tribal Rolls first.

After application review, Francis Levier moved to approve Potawatomi Resolution #87-71 enrolling one applicant as a tribal member. Bob Davis seconded; passed 4-0.

After discussion, Francis Levier moved to approve Potawatomi Resolution #87-72 redesignating roll numbers for two tribal members who had mistakenly been given identical numbers and one who had not been given a number. Kenneth Peltier seconded; passed 4-0.

Bob Davis moved to approve the minutes of May 11, 1987 with one correction. Kenneth Peltier seconded; passed 4-0.

Bob Davis moved to approve the minutes of the May 27, 1987 meeting with one correction. Francis Levier seconded; passed 4-0.

Francis Levier moved to approve the minutes of the June 18, 1987 meeting as read. Bob Davis seconded; passed 4-0.

Chairman Barrett moved to send a letter of congratulations to Kenneth Blanchard, newly elected Governor of the Absentee Shawnee Tribe. Bob Davis seconded; passed 4-0.

Francis Levier moved to approve Potawatomi Resolution #87-73 formally authorizing the previously adopted Recall and Removal Ordinance and amendments to the Tribal Criminal Code (suggested by the Tribal Court's Administrative Judge). Bob Davis seconded; passed 4-0.

Meeting recessed at 7:10 p.m.

Meeting reconvened at 7:20 p.m.

Kenneth Peltier moved to approve Potawatomi Resolution #87-74 applying for III-B Older American Aide Program funds. The Potawatomi Tribe is currently the only Indian tribe in the country to operate an Older American Aide Program. Bob Davis seconded; passed 4-0.

Francis Levier moved to approve Set Aside Appropriations #87-11, 87-12 and 87-14, previously tabled for backup paperwork that has been presented. Kenneth Peltier seconded; passed 4-0.

After review of the proposed General Counsel contract and the approval letter from the BIA, Bob Davis moved to approve Potawatomi Resolution #87-75 adopting the proposed contract to retain Pierson, Ball and Dowd and specifically Michael Minnis to act as tribal attorney. Francis Levier seconded; passed 4-0.

Plans and agenda for the upcoming General Council were discussed.

After discussion of the nearly completed elderly housing complex, Bob Davis moved to approve Resolution #87-76 naming the complex "The Citizen Band Potawatomi Elderly Housing Complex," and naming the access street to the complex "Father Joe Murphy Drive" in honor of Father Murphy of St. Gregory's Abbey for his numerous contributions to the preservation of the tribe's history and culture. Kenneth Peltier seconded; passed 4-0.

Kenneth Peltier moved to approve Resolution #87-77 submitting documentation to the BIA that the tribe has advertised for information concerning deceased tribal members entitled to payment under 95-33 activity 2610 and requesting the transfer of the funds into the Health Aids and Scholarship Foundations (funds stem from unclaimed 1978 per capita). Francis Levier seconded; passed 4-0.

Meeting adjourned at 8:15 p.m.

General Tips on Communicating with Members of Congress

Time and time again we have urged you to write to your state and national representatives concerning various Indian issues. The power of the pen is real and we urge you to utilize the following guidelines when voicing your opinion.

DO

Do identify clearly the subject or subjects in which you are interested, not just House and Senate bill numbers. Remember, it is easy to get a bill number incorrect.

Do state why you are concerned about an issue or issues. Your own personal experience is excellent supporting evidence. Explain how you think an issue will affect your business, profession, community or family.

Do restrict yourself to one or at most two topics. Concentrate your arguments.

Do put your thoughts in your own words. This is especially important if you are responding to something you read. If a member of Congress receives numerous letters with nearly identical wording, he or she may discount them as part of an organized pressure campaign. Even so, pressure campaigns have worked when mail was so voluminous that it had to be weighed rather than read!

Do try to establish a relationship with your own Representative and Senators. In general, you'll have more influence as a constituent. If you don't know whose district you are in, call your local county voter registrar and give him or her your zip code.

Do communicate while legislation is being considered by congressional committees and subcommittees, as well as when it is on the House and Senate floor.

Do find out the committees and subcommittees on which your Representative and Senators serve. Members of Congress have much more influence over legislation within their committees' and subcommittees' jurisdiction.

DON'T

Don't ever, ever threaten. Don't even hint "I'll never vote for you unless you do what I want." Present the best arguments in favor of your position and ask for their consideration. You needn't remind a member of Congress of electoral consequences. Mail and phone calls will be counted without your prompting.

Don't pretend to wield vast political influence. Write member(s) as a constituent, not as a self-appointed spokesman for your neighborhood, community or industry. However, if you really are a spokesman for a group, be sure to mention it.

Don't use trite phrases or cliches. They can make your letter sound mass produced when it isn't.

Don't become a pen pal. Some congressional offices don't bother to count mail from seemingly tireless letterwriting constituents.

Thank You So Much!

Tribal Members,

I want to thank all of you who voiced a show of support for a virtual newcomer to tribal politics in the 1987 election.

I pledge to you that I will serve on the Citizen Band Potawatomi Business Committee with an open mind and a dedicated concern for the welfare of all our people as well as the future of our tribe.

I welcome your input, your concerns and your criticisms.

Thank you,

Hilton Melot

Committeeman # 2

Pow Wow '87



*You should
have been
there!*

Hundreds of dancers and thousands of spectators attended the annual pow wow held in conjunction with the tribal election and council. Left: Potawatomi and Potawatomie Intertribal Pow Wow Club Princess Elinda McKinney; Right: Chairman Barrett and then-committeeman Bob Davis at the grand entry.



National newspaper dedicated to 7th generation

DAYBREAK, a new national newspaper with a natural world focus, released its first "prototype" issue in March.

DAYBREAK is a monthly newspaper that is published by the Eagle Eye Communications Group, a Native American corporation. The publisher of the paper is Oren Lyons, an Onondage Nation Faithkeeper and professor at SUNY Buffalo. The Editor-In-Chief is John Mohawk, Seneca writer and historian.

"DAYBREAK is dedicated to the seventh generation yet unborn," said the paper's lead editorial. "In the same sense that people in Western cultures would immediately recognize the significance of trying to fit a glass slipper, the symbolism of the seventh generation is familiar to a number of North American Indian peoples as a reference to the future," writes Mohawk.

An introductory article written by publisher Oren Lyons projects the purposes of the publication:

"At DAYBREAK, we will report from a perception that there is a great deal of basic human intelligence, of human common-sensical values in the family, clan and kinship networks of humanity. While we value scientific knowledge and western rationale, we look for confirmation among the oral cultures and upon the finely-tuned, eco-cosmological foundations of the indigenous

cultures."

Publisher Lyons goes on to analyze problems of world peace and violent conflict, focusing on the impact of geo-political global struggle upon regional conflicts. There are many threats to the survival of humans and other forms of natural life, he writes, citing the increasing pollution of ground waters, the nuclear clouds that result from concentrated radiation releases, the contamination of wildlife, acid rain and the destruction of the ozone layer. Lyons refers to the principle of the "Seven Generations" in his article. "Dedicated to the Seventh Generation," is the newspaper's motto, inscribed under the title. The "Seventh Generation" concept is deeply prescribed by the Indian tradition, which holds that humans should not make decisions that impact the survival of the "seventh generation yet unborn."

"Our job as a newspaper, will be to provide sound and consistent information and to encourage the public to hold public servants accountable to that fundamental human survival principle - the protection of the Seventh Generation," writes Lyons.

One new format will explore an indigenous concept called "eco-myopia," according to editor Mohawk, who contends that the western perception of the natural world as a "brutish, dog eat dog

kid of existence is a psychologically unhealthy way to think for a species dependent on air and water, land and light."

"The paper will be taking a reference point to world events as seen, experienced and analyzed by the more natural world or indigenous world peoples," according to Jose Barreiro, Guajiro, a DAYBREAK contributor on International and ecological issues. Barreiro, a former international editor of Akwesasne Notes and presently at Cornell University, is a veteran chronicler of Indian events. He said the new paper will subscribe to the normal rules of documentable verifiable journalism but will base its philosophy on principles coming out of international indigenous eco-cosmologies. "Generally, we think the western world has development and political priorities that are leading to global destruction. DAYBREAK subscribes to a more earth-bound premise."

"Eco-myopia is the relationship between humans and the natural world - lack of foresight or short vision, usually leading to unexpected negative impact on unknown or disregarded ecological systems by man-made products," Barreiro writes in a column of the same heading in the prototype issue.

"Just as scientists have found 4,000-year-old Mayan obsidian blades that are 500 times sharper than finely tooled razor blades, art critics are finding a new wave is flowing in the art sea...What is at hand is the revival of the iconographic object, the primal manifestation of the invisible."

Art by Native peoples is surfacing and, slowly, gaining recognition in its own interpretation, Hill says. Writing about a recent exhibition, "Other Gods: Containers of Belief," he says "Curators, historians and anthropologists have tried to deny..(Native)... visions by denying that tribal people produce art. Many argue that the works are primitive, produced by cultural robots, with no creative or aesthetic value."

According to the premiere DAYBREAK editorial, the paper will report and discuss social injustice and ecological responsibility because, "to think of the seventh generation in the abstract is to investigate the thinking of our time in the particular."

"Unless our species exercises its responsibility to do clear thinking about its future, the seventh generation yet unborn will never be born," Lyons writes.

DAYBREAK can be reached at P.O. Box 98, Highland, Maryland 20777-0098.

Efforts to remove Swimmer on increase

Indian efforts to remove Ross O. Swimmer as head of the Bureau of Indian Affairs (BIA) have intensified, with one chairman calling his policies "organized disorganization designed to confuse and divide tribes."

"The continuing fight to stop Swimmer is sapping the tribes," said Chairman Ernie Stensgar of the Coeur d' Alene Tribe, after the seven Inland Empire Tribes walked out of a BIA meeting in Spokane, Wash.

The seven leaders of the Affiliated Tribes of Northwest Indians (ATNI) voiced united opposition to Swimmer's agenda, and contradicted his contention that he has consulted with tribes. ATNI, in August of 1986, was the first intertribal group to call for Swimmer's removal.

Since then, the following actions have been taken:

- The National Congress of American Indians (NCAI) has called for Swimmer's resignation or removal;
- His plans were rebuffed by the House Interior Appropriations Subcommittee in March;
- The House Appropriations Committee put a hold on Swimmer initiatives until Sept. 30, prohibiting

the use of FY-1987 monies to implement them;

- The Confederated Tribes of Warm Springs announced they would sue the Interior Secretary to stop transfer of trust funds to Mellon Bank (one of Swimmer's schemes);

- A bill was drafted prohibiting BIA from implementing any proposed initiatives without review or approval by Congress, including Swimmer's plans to impose a flat 15 percent administrative fee on tribal contractors, and to levy tuition rates at BIA post-secondary schools;

- Swimmer's plan to re-program health funds to pay for raises for Indian Health Service personnel was shot down;

- An investigation of personnel practices and policies in the BIA was requested by Rep. Morris K. Udall (D. AZ) and Sen. John Melcher (D. MT);

- The United Indian Nations in Oklahoma demanded Swimmer's immediate resignation or dismissal;

- The Senate Select Committee on Indian Affairs has urged rejection of most Swimmer initiatives by the Senate Budget Committee.

(Reprinted from the June Denver Camp Crier)

HAVE COURAGE

Thanks to each of you who worked diligently in my campaign and to each of the voters who took time to come out and vote.

I'm reminded of some of our forefathers attributes, especially one that says, "Have convictions and courage and yet be tolerant of other people's Faults and Opinions." Another is to, "Understand your obligation as a citizen and fulfill them creditably."

Courage is one of the superior attributes of character. It is a necessary element of honorable conduct and an essential ingredient of responsible citizenship. To have courage means to meet danger, difficulties, problems and trouble bravely and with firmness and resolution.

I would encourage each member of the Citizen Band Potawatomi, including the elected officials, to resist every attempt to erode their freedom or to corrupt the tribal government.

People who are worthy members of the tribe must be informed, honorable and courageous willing to listen to the pro's and cons of each issue.

Cowardice, eventually leads to the loss of freedom and to the degradation of individuals. Failure to do your fair share to help those in need or to assert your convictions against fraud is a deficiency of courage.

Each of us must creditably use our time and talent to promote an honest free government for our tribe. Use your time and talents by engaging in some lawful work or activity.

Because each person in a nation of free men not disabled has an obligation to perform some useful work or service for the advancement and stability of the society in which he lives. This helps develop self worth and dignity.

If you have a talent or service you are not using. Why not apply for that position at the tribal complex? I'm sure the business committee wants to hire qualified Potawatomi tribal members.

The elected officials represent you as individuals to carry out your wishes. They can only do what you as members allow them to do.

I would encourage you to have courage to carry through with your convictions, and to understand your obligation as a Citizen Band Potawatomi.

Thanks again for your support in the June election,

Cecil Pensoneau



Bulk Rate
U.S. Postage
PAID
Tecumseh, OK
Permit No. 26

Route 5, Box 151, Shawnee, Oklahoma 74801

Council (from page 1)

✓ Sacred Heart: The three original buildings at Sacred Heart Mission near Asher have been subject to repeated vandalism. A suggestion had been made that they be moved to the pow wow grounds for better security and display, but Barrett said that local residents — and he — felt that would be "detrimental to history." He said the tribe is working with the newly formed Sacred Heart Historical Society to develop a plan to preserve the buildings. He also hopes the tribe can work with the families involved to preserve the Bourbonnais cabin, now located on Mission Hill, which was the first Potawatomi structure in the reservation area.

✓ Leveraged Buyouts: Barrett said that several tribes have negotiated leveraged buyouts of businesses to the tribes' benefit. He explained that such a buyout does not require the tribe to come up with cash or mortgage existing property, since the assets of the property being purchased back up the loan, and the tribe can issue tax-exempt bonds which "puts us thirty cents on the dollar ahead of anyone else who might buy it." The business' existing management continues to run the operation and the bank makes the payments. "The tribe at no time has any risk," Barrett said. The chairman had come under fire from his opposition during the election campaign over pending leverage buyouts and allegations that misrepresented the purchasing terms of such an arrangement.

"However the election comes out, I ask the business committee to investigate the prospects of leveraged buyouts," he said.

✓ Enrollment Change: Barrett explained that if the tribe approves the constitutional amendment to change enrollment from blood degree to descendency, the new

enrollees would most likely not be eligible for set-aside payments or other benefits such as scholarships for a set number of years. Descendency will be determined from the original Citizen Band roll, and the current roll will be maintained only for tribal programs. "We will become about a 40,000 member tribe," he said, "one of the largest."

✓ Audit: Accountant John Arledge reported that the tribe's financial condition is good, with \$300,000-plus increase in equity over the previous year. The federal audit by the inspector general was also good, he said. He said the tribe currently has about \$9 million in assets.

✓ Lawsuits: Tribal attorney Michael Minnis reported that a lawsuit with Enterprise Management Consultants, Inc., which runs the bingo hall, is "on hold" while both sides await a ruling on the management company's appeal of a BIA rejection of the contract with the tribe. Barrett said that if the tribe wins the lawsuit, it could recover as much as \$2 million that has "not been properly paid to the tribe" under terms of the contract.

A lengthy question and answer session after the reports included more discussion of the audit, the leveraged buyout plans, the scholarship program, set-aside funds, employment of tribal members by the tribe and other subjects while

everyone waited for the election results. At about 7 p.m., Norman Kiker of the Election Commission reported that there would be a recount, so Barrett recessed the meeting until 10:30 p.m. Shortly after they reconvened, the results were announced and the newly-elected officials sworn in. The new officers then left immediately for the pow wow grounds, where they were honored with a special victory dance around the drum.

Address Change Form

To: Citizen Band Potawatomi Roll Number _____
Indians of Oklahoma
Rt. 5, Box 151
Shawnee, Ok 74801

**The following is my current mailing address.
Please mail checks and other correspondence to
same until further notice is given**

Name: _____
(Include Maiden) (Please Print)

Box, Route
Or St. No: _____

Town or City: _____

State: _____ Zip Code _____

Birthdate: _____

Next Month

Emigration Diary
Removal Roll
Annual audit
Museum dedication